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ABSTRACT

The report presents findings from a 2-year evaluation of the implementation of Chapter 766, the Massachusetts comprehensive special education law. The evaluation included 10 substudies of issues related to special education. Most of the findings contained in the final report are based on coordinated case studies of 15 school districts and on a statewide survey. The report begins with background information on Chapter 766 and highlights major evaluation findings, including that the law still is supported by a broad political spectrum in the state; that school staff expressed negative feelings about the paper work involved in implementing the law; that the law has been largely effective in making a range of educational services available to all handicapped students aged 3 to 21; that secondary education has been greatly affected by the law but chronic problems remain; that relatively inexpensive efforts can be undertaken to solve many persistent financial problems; and that the state has dramatically increased reimbursement for education in poor urban settings since 1978-79. The second part of the report details findings and recommendations regarding eight issues (sample subtopics in parentheses): 1) finance (state aid, cost trends); 2) special education services (labels, related services); 3) the interface with regular education (inservice training); 4) state/local relations (monitoring, appeals); 5) secondary education (attitudes, service options); 6) individualized education plans (staff and parent use); 7) least restrictive environment (placement decisions, student acceptance); and 8) parent/school relations (impact on parents, organized parent efforts). (CL)

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Final Report

Implementing Massachusetts' Special Education Law: A Statewide Assessment

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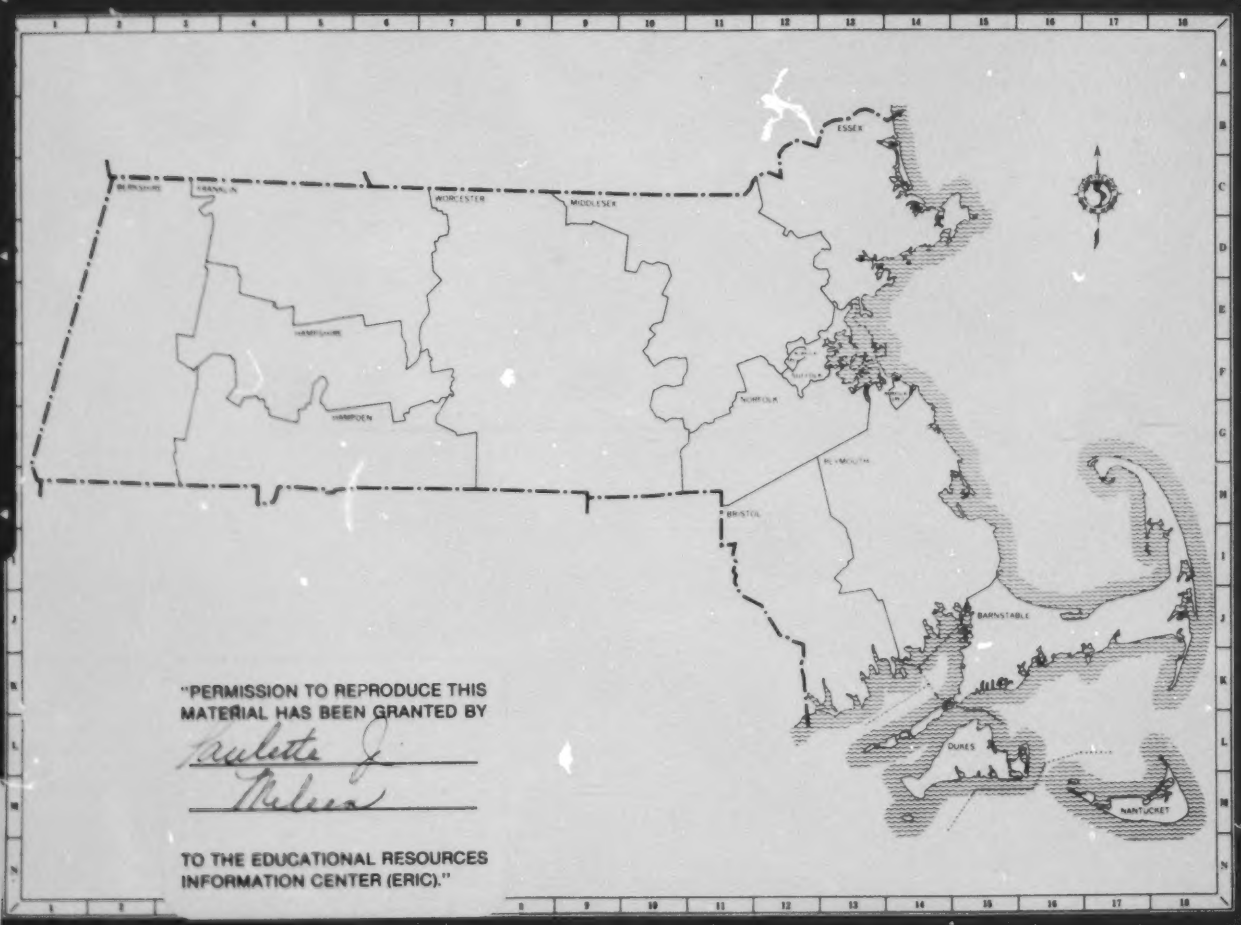

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This report is a result of the Chapter 766 Evaluation Study sponsored by the Massachusetts Department of Education, Division of Special Education. The opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Special Education or Massachusetts Department of Education.

Final Report

Implementing Massachusetts' Special Education Law: A Statewide Assessment

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With assistance from Patricia Leon Finan

Massachusetts Department of Education
Division of Special Education

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Executive Summary

INTRODUCTION

In October 1979, the Massachusetts Board of Education decided to evaluate the implementation of the Massachusetts comprehensive special education law, Chapter 766. In effect since September 1974, Chapter 766 is a right-to-education law which preceded federal Public Law 94–142 by three years and served as a model for the federal legislation in many respects. The evaluation of Chapter 766 took place over a two-year period and received high priority within the Department of Education.

The evaluation of a program as comprehensive as Chapter 766 is of necessity an ongoing process and one that the Department of Education will continue. This report represents the formal end of the Chapter 766 evaluation study as funded jointly by the Massachusetts Department of Education and the U.S. Office of Special Education. However, it is by no means the end of the process set in motion by our effort to study special education in depth. The evaluation included ten substudies conducted by various research organizations under contract to the Department of Education.

Most of the findings contained in the final report are based on the coordinated case studies of fifteen school districts conducted by the Huron Institute and the statewide survey conducted by the Gallup Organization because these were the principal substudies. Information from the other studies is included as it relates to major findings.

HIGHLIGHTS OF THE STUDY FINDINGS

The final report describes a number of paradoxes which illustrate the tensions facing special education (and education) in Massachusetts today. Following is a brief preview:

- The Massachusetts comprehensive special education law (Chapter 766) was one of the major right-to-education laws passed in the early 1970s. Chapter 766 still enjoys support over a broad political spectrum. Approximately 95% of every educator group surveyed by Gallup agreed with a key concept of the law, that handicapped children have as much right to a public school education as any children. Fewer than 30% of the parents of children in *regular* education believed that the scope of Chapter 766 should be narrowed. And fewer than 10% of members of the general public with no children in the public schools had an unfavorable opinion of Chapter 766.

- Despite support for the concepts on which Chapter 766 is based, school staff expressed considerable resentment about the paperwork involved in implementing the law. Those least burdened often complained the most. In every sample community, a few educators, parents, and members of the general public bitterly resented the cost involved in one or more individual cases, though the cases cited were usually a small part of the education budget. The Huron Institute found evidence in its case studies suggesting that objections to paperwork and costs were shorthand for resentment toward state intrusion, through Chapter 766, into the organization and operation of local school systems.

- For the most part, Chapter 766 has accomplished its major objective, making a range of appropriate special education services available to all handicapped youngsters from age 3 to age 21. More than 75% of every educator group in the Gallup survey believed that the quality of special education in the public schools was better than it had been ten years ago. Only 3% of parents with children in special education at the elementary level and 7% of those with children at the secondary level believed their children had not improved since being enrolled in special education. These responses came at a time when education generally had been under heavy fire and when 39% of those surveyed without a youngster in public schools believed that the quality of education in public schools in their communities was only "fair" or "poor." The price for the success of Chapter 766, according to the Huron study, has been the widespread misconception that special education is responsible for high property taxes.

- Secondary education is the area where Chapter 766 has brought about the greatest advances in special education. However, it is at the secondary level that the most intractable problems still face special education. It may not be possible to make much more progress with those problems without significantly changing how all education at the secondary level operates and is organized.

- Many of the fiscal issues which are the focus of much controversy are issues that, in themselves, can be resolved by relatively inexpensive actions on the part of the Massachusetts Department of Education or the Massachusetts Legislature. They include the following:
  - —Paying at the state level the cost of individual expensive placements by local school systems;
  - —Reimbursing fully special education transportation expenses, especially those of Department of Mental Health adults.

- Since 1978–1979, the state had dramatically increased reimbursement for the cost of education in poor urban communities. Unfortunately, the state has failed to claim and receive the credit for its accomplishments in that regard.

Specific findings and recommendations of the report follow.

Financial Issues

Several important and unexpected points emerge from analysis of findings in the fiscal area. Most of them are points about which the general public and many educators may be uninformed. They include the following:

- The case studies analysis refutes assertions that local administrators manipulate special education placements to maximize revenues.
- Since Fiscal Year 1979, the requirements of Chapter 766 no longer place a great financial burden on poor urban communities.
- In general, revenues raised through local taxes to support education in Massachusetts have remained relatively constant since Fiscal Year 1978.
- In Massachusetts, federal Public Law 94–142 funds are, in some respects, the most flexible part of the special education budget, allowing local school systems to develop new programs, improve management of special education, train staff, and redesign existing programs.
- The dramatic increase in special education expenditures for most communities occurred prior to Fiscal Year 1979, although expenditures in some urban communities, especially for private day school and substantially separate programs, have continued to increase.
- Generally, expenditures for private placements continued to grow at a rapid rate, at least through Fiscal Year 1980.
- In preparing education budgets generally, there is seldom any understanding or discussion of the true (net) cost to the community of any expenditure or line item.

The following are the principal recommendations in the fiscal area:

- We recommend that the department work to see that Chapter 70 ensures adequate funding of the real cost of special education.
- We recommend that the department make clear explanations of financial issues related to special education available to concerned audiences.
- We recommend that the legislature fully fund the Bilingual and Special Education transportation provision of Chapter 367.
- We recommend that the Department of Education shift to the Department of Mental Health the functions of providing for and funding transportation of the adults who are within their jurisdiction.

Special Education Services

As a result of Chapter 766, a wider range of programs and services is available than ever before to almost every student with special education needs. The number of students in special education doubled from October 1974 to June 1978. Except for urban school systems, where the growth in special education services continues, special education programs in most school systems have grown more slowly since 1977–1978. Most of the recent additions have been in substantially separate programs in larger school systems and in collaborative programs for all communities.

Areas of particular growth since implementation of Chapter 766 in September 1974 include collaborative and public school facilities for students with profound handicaps, secondary school programs, programs for students with learning disabilities, and preschool programs. Majorities of all groups of educators surveyed by Gallup found Chapter 766 successful in terms of its main objective, the provision of appropriate services to students needing special education.

The climate of fiscal constraint in education had not resulted in elimination of special education programs or services in any significant way at the time of the Huron site visits in 1981. Specific changes at that time included programs in which students' time in special education was cut back from the maximum to the minimum allowed in their prototypes, more children were introduced into programs without increasing staff, and students with mild disabilities were considered cured. The climate had intensified criticism and resentment toward special education. Many special education directors felt pressured to control the rate of increase in special education by tightening referral criteria. And, especially in urban systems, services were being expanded in substantially separate programs, either to retain youngsters who would have dropped out or to move difficult-to-handle students out of regular classrooms. Most local educators believed that implementation of Proposition 2½ (the Massachusetts law limiting property taxes) would accelerate the pressures to reduce services and to move difficult students out of regular classes.

In the case study communities, most administrators seemed eager to return youngsters from private placements. While the evidence suggested vigorous efforts in preparation for such a move in many communities and negotiations between administrators and parents, the data showed little actual movement in that direction to date. If that movement picks up steam, the adequacy of public school programs may become an issue.

The following are the principal recommendations in relation to special education services:

- We recommend that the Division of Special Education monitor possible development of inappropriate programs, due to budget pressures.
- We recommend that the Division of Special Education continue to encourage development of programs to bring students back from institutions and private schools. It should, however, monitor substantially separate programs established for that purpose to make sure they are appropriate.

The Interface with Regular Education

In 1974, many teachers and administrators feared that Chapter 766 would result in placement in regular classrooms of many students who would be generally hard to deal with. This has not happened. Students with profound handicaps have moved out of substandard facilities. The quality of their services has improved significantly. But they have rarely been integrated into instructional settings.

What has happened has been remarkable. A new set of programs has been developed for students with problems due to developmental delays, students with learning disabilities, and students with behavior disorders, who were educated in regular classrooms prior to Chapter 766. New preschool and secondary level programs have also been developed. Regular education teachers benefited from these programs, which permit students to function better in regular classrooms.

The distinction between regular education and special education is still sharp in most communities. In most communities, special education staff has been assigned to bridge the gap, to cross the boundaries between special and regular education. These boundary crossers are the consultants, evaluation chairpersons, resource room specialists, and others who coordinate programs for individual children, give practical assistance to classroom teachers, and serve as intermediaries between special education administration and the classroom teacher or between parents and teachers. Successful boundary crossers make themselves easily accessible to regular staff and try to anticipate needs without imposing unnecessary additional tasks.

Many regular education staff members saw Chapter 766 as an outstanding success and expressed appreciation for the supplementary services provided by special education. Others, although accepting the idea that students with special needs should receive special services, complained that emotionally disabled or behaviorally difficult students were malingering and did not need special education. Many of the latter group appeared to be resentful of the perceived job security that Chapter 766 gave special education staff. However, in general, regular education staff strongly supported the concepts of Chapter 766. In Gallup's survey, 84% of principals and 86% of regular education teachers believed that the quality of special education was better than it had been ten years before; only 3% and 5% respectively of those groups observed a decline in quality.

Chapter 766 has caused significant change in how school staff organizes its work. The focus on individual programs, the need to consult parents and students in developing those programs, the scheduling demands, and the accountability required—all of these affect how schools, especially secondary schools, conduct their business. Some local educators have perceived the request for these changes as an intrusion that violates the tradition of local control of education in Massachusetts. In fact, the intrusion has gone well beyond simply requesting local changes. In the program audit, in the appeals system, and in court cases the Department of Education has monitored and enforced the requirement of Chapter 766 that makes local school systems accountable for providing special education to their children who need it.

The principal targets of the dissatisfaction expressed toward Chapter 766 are the paperwork and time required and a few cases involving extremely expensive placements or services. Simply put, the loudest complaints concerning paperwork come from those least affected by paperwork requirements. Although special education directors and instructional staff bear heavy paperwork and procedural requirements, and complain about them, they accept Chapter 766 paperwork more readily than regular education staff members because they use the plans and assessments to monitor the progress of their students.

In most communities, people point to one or a few cases, which have consumed much staff time and attracted wide public attention, as representing the "outrageous demands" placed on the community by Chapter 766. Although the cases cited are often expensive on an individual basis, they usually represent a very small proportion of the total school budget. Because of the high negative visibility associated with these cases, however, it is important that the Division of Special Education help local school systems deal with these situations.

Many of the recommendations related to regular education deal with ways to reduce further the paperwork and procedural requirements of Chapter 766. The following are the other principal recommendations:

- We recommend that the department encourage the development of pools of volunteers to facilitate the integration of special needs students into regular classrooms.

- We recommend that the department stress the importance of boundary crossers.

- We strongly recommend that the Division of Special Education help local school systems deal with cases that may generate undue hardship or adverse publicity for Chapter 766.

State/Local Relations

At first glance, many of the findings would seem to suggest that local school systems claim credit for anything they perceive as "good" that comes from the state (funds to initiate new programs) and blame the state education agency for all that is "bad" (paperwork, regulations). That, of course, is an oversimplification. There is, however, a deep-seated local resentment of the features of Chapter 766 that represent state intrusion into local affairs. This is seen most sharply in school system hostility toward the appeals process. This process reaches, more deeply even than the program audit, into how school systems are organized and conduct their activities. Because hearing officers' decisions in appeals have the effect of law, local school systems cannot ignore them. The primary theme of state/local relations under Chapter 766 is local resentment of the involvement of a state agency, the Department of Education, in the affairs of school districts accustomed to local control of education.

The following are the principal recommendations concerning state/local relations:

- We recommend that the Bureau of Program Audit and Assistance refine monitoring procedures and make them more cost effective.

- We recommend that the department work with education groups to encourage legislation containing specific, meaningful interagency agreements.

Secondary Education

It was at the secondary level that gaps in special education services were most in evidence in 1974. Since Chapter 766 called on schools to individualize programs for students needing special education, it required high school teachers and administrators to change the ways they thought and worked.

High school teachers, for the most part, concentrated on the subjects they taught and had a narrower definition of their roles than their elementary school counterparts. Many of the high schools subscribed to the idea of working harder with students who would do best at the college level rather than teaching the individual child. Massive problems of scheduling made Chapter 766 seem an administrative nightmare. High school principals were burdened with other issues that involved greater numbers of students or had more general impact (discipline, alcohol, drug abuse, academic standards). Given those constraints, it is remarkable that so many school districts were able to take advantage of the opportunities for change provided in Chapter 766.

In most communities, Huron found that the growth of services available in secondary special education by 1981 had been more rapid than growth in any other area of special education. Significant gains have been made, with new programs and service options at the secondary level in every school district Huron studied. Several of the communities were particularly proud of their progress in providing new programs to older students. Resource rooms providing academic support to students with learning disabilities are commonplace at the secondary level, where once they were a rarity. Some school districts have developed transitional programs which provide placement for students with serious intellectual handicaps. Many school systems have provided new occupational education programs for at least part of their special education population. Alternative high school programs have seen particular growth and continued to grow in urban systems. They provide settings in which academic success is possible for some students for the first time.

Both the State Divisions of Special and Occupational Education have considered occupational education for special needs students a top priority since 1976. Starting in 1979–80, from its share of Public Law 94–142 funds, the Division of Special Education allocated $2,000,000 annually (supplemented by lesser amounts from other divisions and agencies) to improve existing and develop new vocational assessment and vocational training programs. In addition, since 1976, the Division of Special Education has used Public Law 94–142 funds, through the Secondary School Project, to provide technical assistance and inservice staff training. Since Fiscal Year 1981, the focus of the project has shifted toward assisting local school districts to implement vocational/occupational programs for special needs students.

Despite extensive progress and increased opportunities, secondary education is the area of special education in which much more remains to be done. Even some of the "successes" need continued scrutiny because, due to departmentalization at the high school level, they may isolate students who formerly were integrated.

In addition, there are gaps in services. Districts vary widely in providing transitional programs from schools to jobs or other placements for students with intellectual handicaps. Some of the new vocational programs are quite limited in their scope or target population, leaving some groups of special education students at the high school level with no access to vocational services or programs. Admission to many regional vocational schools is selective and still seems to exclude most students in special education for one reason or another. Alternative high schools, often used to separate disruptive students from the regular classroom, can become a dumping ground for all the problems that a local high school has difficulty dealing with.

Many of the problems found in secondary special education are problems of secondary education generally. The fragmented structures found in most high schools as a result of departmentalization, specialization, and tracking increase the isolation of students in special education, make them more vulnerable to peer pressures, and increase the difficulties involved in scheduling and individualizing special programs. Consequently, many of the recommendations are directed at secondary education generally:

- We recommend that the Department of Education encourage local school systems to organize interdepartmental task forces at the high school level to consider the changes necessary to improve the quality of secondary special education.
- We recommend that the department fund model programs at the high school level organized on the principle of individualized instruction for all students.
- We recommend that the Division of Special Education disseminate information indicating what factors lead to success or failure in resource rooms and alternative collaborative programs.
- We recommend that the Division of Special Education develop guidelines detailing what its expectations are for appropriate transition planning from self-contained classrooms to jobs, sheltered workshops, or institutions.

Individualized Educational Plan

The process for developing individualized educational plans and individualized programs for students needing special education has provided school staff with a useful perspective for understanding the special needs of those students and providing appropriate services for them. In particular, the scheduling of an evaluation meeting at which decisions are ratified has forced both staff and parents to focus on the needs of those students.

In some ways, monitoring and training by the Division of Special Education to assist local school districts in preparing complete, specific educational plans seem to have succeeded too well or with the wrong emphasis. The Huron case study teams noted educational plans completed with a specificity that seemed unrealistic and unnecessary to local special education staff. This suggests a possible shift in division efforts in order to help local school systems make individualized educational plans more practical.

Even more important is the need to make educational plans and other student data accessible at the building

level. According to local administrators, considerations of confidentiality and cost have stood in the way. But the cost and effort to develop individualized educational plans and their potential usefulness warrant efforts to improve their availability to those who need to use them.

- We recommend that the Division of Special Education encourage training in how local school systems can develop individualized educational plans that are flexible, practical, and useful.
- We recommend that the Division of Special Education encourage local school systems to make a basic file for each student in special education available at the building level.

Least Restrictive Environment

For educators who had feared that Chapter 766 meant that their schools would be overrun by profoundly disabled students, the reality was a complete surprise. Rather than the return of students from institutions or private schools or the discovery of youngsters not in school who needed services, Chapter 766 emphasized looking at academic failures and behavior problems in new ways (i.e., to determine whether the difficulties of those students derived from handicapping conditions). Most of the students needing and not receiving special education were already in the regular classrooms. Serving them appropriately in many cases meant moving them out of the classrooms to more restrictive placements for at least part of the time.

The Gallup survey found that solid majorities of all educator groups accepted the idea that special needs students should be educated in the least restrictive appropriate environment. The acceptance of this premise was somewhat higher at the elementary than at the secondary school level. Despite similar attitudes in case study communities, most local educators predicted that increases in class size resulting from Proposition 2½ would result in more referrals, moving students into a more restrictive environment. The predicted countermovement of students from private placements is unlikely to result in those youngsters being educated with regular students. Despite the change of program type, students returning to their communities for the most part will receive their special education away from regular students in collaboratives or separate programs.

- We recommend that the Division of Special Education use the data system developed in the course of this study to help regional staff monitor significant changes in enrollment in specific program types which might be influenced by budgeting constraints.
- We recommend that cooperation between local school systems and collaboratives be encouraged to identify or develop appropriate programs for students currently in private placements.

Parent/School Relations

Within special education across the state, there has been a high level of participation by parents in the formal process of planning individualized programs for their children (attendance at planning meeting, signing plans). Even formal parent participation has helped improve the quality of special education services by increasing the responsiveness of school staff. Efforts to individualize programs have absorbed considerable emotional energy and time of parents and staff. Perhaps this is one reason why school personnel and parent groups have had little success in involving parents of multiple problem families. It is still important to reach that group of parents. Only creative efforts that go beyond the formal procedures of Chapter 766 are likely to succeed.

- We recommend a variety of workshops to help local school staff and parents communicate openly, simply, and with sensitivity.
- We recommend that the Division of Special Education provide concrete suggestions and inducements that will encourage development of local parent groups to assist parents in vulnerable families and to support continued funding and implementation of Chapter 766.

Glossary

AFR—Annual End-of-School-Year Pupil and Financial Reports (Annual Financial Reports).

Boundary Crossers—Staff members in a local school system who coordinate between regular and special education.

Chapter 70—The Massachusetts law that provides state aid for education at the local level in categorical programs.

Chapter 367—A Massachusetts statute providing for transportation and authorizing funding for various categories of students.

Chapter 766—The Massachusetts Comprehensive Special Education Law (similar to federal Public Law 94-142) which requires that all special needs students from age 3 to 21 have access to a free public education within the least restrictive environment appropriate. The fundamental concepts of the law are described in Chapter 1.

Collaborative—An agreement between school committees jointly to provide educational services.

Commonwealth Institute—Allots Department of Education funds for inservice training programs that are participant controlled, voluntary in nature, and designed to meet local needs and to promote federal and state priorities.

Coordinated Data Study—The study that combined the results of the four bureau studies and department data into an effective system for collecting and analyzing data useful to Chapter 766.

Department—Massachusetts Department of Education

Division—Division of Special Education of the Massachusetts Department of Education.

Equalized Property Valuation Ratio per Capita—The ratio between local property value and state property value per person (see formula in Chapter 4).

Evaluation Strategy Group—Academic consultants to the study from Harvard University, Boston University, Boston College, Northeastern University, and Tufts University, who helped the study staff develop the strategy for evaluating Chapter 766.

Excess Cost of Special Education—The cost of special education in excess of the cost of regular day education.

Federal Discretionary Funds—Federal funds made available to the state education agency under Public Law 94-142 to be used at the discretion of the agency, for programs that will have broad impact on special education in the state.

Individualized Education Plans (IEP)—A written statement of a child's educational needs and the program which has been developed to address these needs.

Least Restrictive Environment—The program which will adequately address the child's needs with the least amount of time outside the regular education program.

Net Average Membership (NAM)—A system of weighing the number of students according to the time they spend in a particular program.

Net Local Expenditures—Local expenditures less state and federal aid, as well as any other reimbursements from outside the community.

Non-Save-Harmless—Communities which are reimbursed according to their actual expenditures (usually urban communities).

Out-of-District Placement—Placement of a student in an approved program outside the local school district, usually a collaborative or a private school program.

Proposition 2½—A recent Massachusetts law that limits the property tax rate. It also shifts final responsibility for the school budget away from school committees.

Prototypes—Refers to the Massachusetts system of classifying programs according to the amount of special education the student receives and the place of delivery of the services:

502.1—A regular program with modifications;
502.2—A regular program with no more than 25% time out;
502.3—A regular program with no more than 60% time out;
502.4—A substantially separate program;
502.4i—A substantially separate program in a facility other than a public school regular education facility;
502.5—A private day school program;
502.6—A private residential program for children with special needs;
502.7—A home or hospital program;
502.8—A preschool program for children with special needs.

Public Law 89-313—Provides federal funds for state-operated and state-supported special education programs based on pupil enrollment.

Public Law 94-142—This law, which went into effect October 1, 1977, provides educational opportunities for all

handicapped children. Its basic concepts are similar to those of Chapter 766, described in Chapter 1.

Resource Room—Usually the designation for a classroom used as an academic resource center for students with special needs.

Save-Harmless—Communities which are reimbursed at a rate of not more than 107% of the previous year's expenditures (usually non-urban communities).

Self-Contained Classrooms—Primarily separate classrooms for students with serious intellectual handicaps.

Stakeholder—An individual who has an interest or who represents a group having an interest in the issues being studied.

State Incentive Funds—State funds made available to local school districts to encourage them to develop programs for children who have been in institutional school programs.

Study Review Panel—A Study group representing parents, students, school committees, superintendents, administrators of special education, teachers, advocacy groups, collaboratives, private schools and human service agencies. They met to review study progress and advise the department concerning important decisions related to the study. The panel played an important role in shaping the direction of the study.

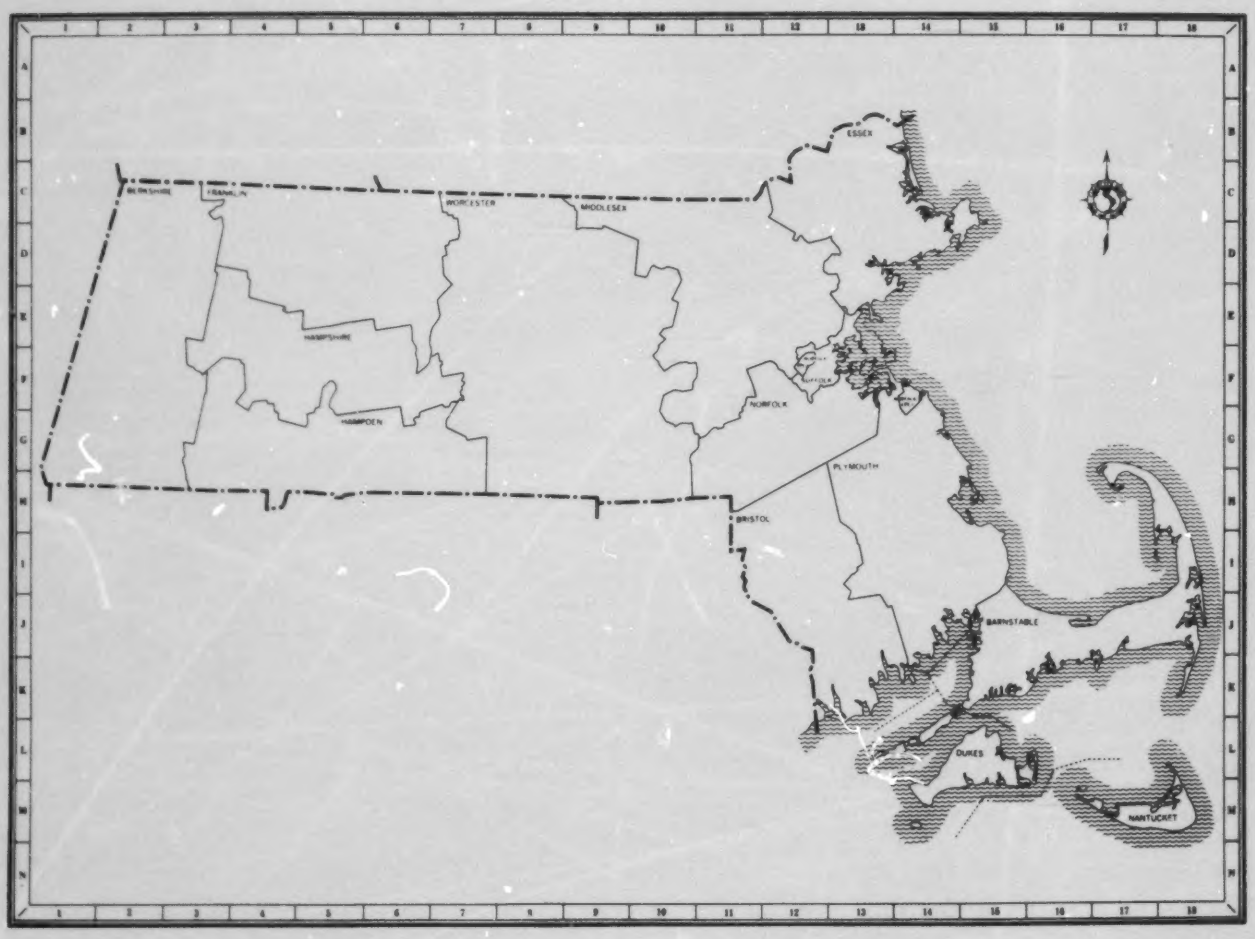
Vulnerable Families—Families in which parents were unable to deal adequately with their children's special needs and to develop working relationships with the schools.

PART ONE : Background of the Study

CHAPTER ONE : Introduction

CHAPTER TWO : Evaluation Strategy

CHAPTER THREE : Methods



CHAPTER 1. Introduction

OVERVIEW

In October 1979, the Massachusetts Board of Education decided to evaluate the implementation of the Massachusetts Comprehensive Special Education Law, Chapter 766 which had been in effect since September 1974. Chapter 766 is a right-to-education law which preceded U.S. Public Law 94–142 by three years and served as a model for the federal legislation in many respects.

The thorough evaluation of Chapter 766 took place over a two-year period and received high priority within the Department of Education. The evaluation of a program as comprehensive as Chapter 766 is of necessity an ongoing process and one that the Department of Education will continue. This report represents the formal conclusion of the Chapter 766 evaluation study as funded jointly with the U.S. Office of Education (now the Department of Education). However, it is by no means the end of the process set in motion by our effort to study special education in depth.

The evaluation included the following ten substudies conducted by various research organizations under contract to the Massachusetts Department of Education:

Coordinated Case Studies of 15 School Districts ..... THE HURON INSTITUTE
Case Study of Boston ..... THE HURON INSTITUTE
Survey of Attitudes Toward Chapter 766 ..... THE GALLUP ORGANIZATION
Data Review Study ..... RMC RESEARCH CORPORATION
Institutional Schools Data Study ..... SYSTEMS ARCHITECTS, INC.
Appeals Data Study ..... ELINOR WOODS
Management Data Study ..... WOLF, WALKER & ASSOCIATES
Program Audit Data Study ..... VAZQUEZ-NUTTALL ASSOCIATES
Historical Study ..... HARVARD UNIVERSITY
Fiscal Study ..... BOZLER EDUCATIONAL CONSULTANTS

The ten substudies have produced a wealth of information on many aspects of the implementation of Chapter 766, far too many details to include in one final report. This report concentrates on those findings which the study staff considered most important. Many readers may have other interests, and we urge them to review the reports of the substudy contractors.

Most of the findings reported here are based on the case studies by the Huron Institute and the survey conducted by the Gallup Organization, the principal substudies. Information from the other studies is included as it relates to major findings. The language of the substudy reports is used as much as possible in presenting the findings, with indications where supporting evidence can be found in those reports. Conclusions are given in overviews and recommendations. The contractors are not responsible for these conclusions and interpretations.

The report is divided into two sections. Part One provides background on Chapter 766, highlights of the major findings, the context of the evaluation effort, the evaluation strategy and a description of the methods used in the substudies.

Part Two gives findings and recommendations in issue areas studied: financial issues, special education services, interface with regular education, state/local relations, secondary education, individualized educational plan, education in the least restrictive environment, and parent/school relations.

A glossary of terms is included to familiarize the reader with the terms used to describe aspects of Chapter 766 in Massachusetts. Tables and figures are included within each chapter and are listed with the Table of Contents.

Readers who are primarily interested in the study findings may want to review Chapter 1 briefly and then turn directly to Part Two. Those who want more background on the conduct of the study will find Part One helpful.

HIGHLIGHTS OF STUDY FINDINGS

A number of paradoxes that illustrate the tensions facing special education (and education) in Massachusetts today are obvious from this report and its substudies. The following is a brief preview:

- The Massachusetts comprehensive special education law (Chapter 766) was one of the major right-to-education laws passed in the early 1970s. Chapter 766 still enjoys support over a broad political spectrum. Approximately 95% of every educator group surveyed by Gallup agreed with a key concept of the law, that handicapped children have as much right to a public school education as any children. Fewer than 30% of the parents of children in *regular* education believed that the scope of Chapter 766 should be narrowed. And fewer than 10% of members of the general public with no children in the public schools had an unfavorable opinion of Chapter 766.

- Despite their support for the concepts on which Chapter 766 is grounded, school staff expressed considerable resentment about the paperwork involved in implementing the law. Those least burdened often complained the most. In every sample community, a few educators, parents, and members of the general public bitterly resented the cost involved in one or more individual cases, though the cases cited were usually a small part of the education budget. The contractor for the case studies, the Huron Institute, found evidence suggesting that objections to paperwork and costs were shorthand for resentment toward state intrusion, through Chapter 766, into the organization and operation of local school systems.

• For the most part, Chapter 766 has accomplished its major objective, making a range of appropriate special education services available to all handicapped youngsters from age three to age twenty-one. More than 75% of every educator group in the Gallup survey believed that the quality of special education in the public schools was better than it had been ten years ago. Only 3% of parents with children in special education at the elementary level and 7% of those children at the secondary level believed their children had not improved since being enrolled in special education. These responses came at a time when education generally had come under heavy fire and when 39% of those surveyed without a youngster in public schools believed that the quality of education in public schools in their communities was only "fair" or "poor." The price for the success of Chapter 766, according to the Huron study, has been the widespread misconception that special education is responsible for high property taxes.

• Secondary education is the area where Chapter 766 has brought about the greatest advances in special education. However, it is at the secondary level that the most intractable problems still face special education. It may not be possible to make much more progress with those problems without significantly changing how all education at the secondary level operates and is organized.

• Many of the fiscal issues which are the focus of much controversy are issues that, in themselves, can be resolved by relatively inexpensive actions on the part of the Massachusetts Department of Education or the Massachusetts Legislature. They include:

—Paying at the state level the cost of individual expensive placements by local school systems;

—Reimbursing fully special education transportation expenses, especially those of adults served by the Department of Mental Health.

• Since 1978-1979, the state has dramatically increased reimbursement for the cost of education in poor urban communities. Unfortunately, the state has failed to claim and receive the credit for its accomplishments in this regard.

BACKGROUND OF CHAPTER 766

The Massachusetts comprehensive special education law is similar to the federal Public Law 94-142. The purpose of Chapter 766 is to provide for a flexible, uniform system of education opportunities for all children requiring special education. It requires that all special needs students from age 3 to age 21 have access to a free public education within the least restrictive environment appropriate.

In brief, the fundamental concepts of the law are:

—Local school districts are responsible for identifying all young people within their jurisdiction in need of special education.

—Each student referred for special education services must be assessed by a multidisciplinary group of professionals using several methods of evaluation.

—An educational program must be developed to meet the special education needs of each student. This individualized program must take into account both the child's weaknesses and strengths and represent an earnest effort on the part of all participants to provide for both, while removing the child as little as possible from the mainstream of the regular education program.

—Parents have the right and the responsibility to be involved at all points: referral, assessment, planning, and evaluation. Moreover, they must agree to the individualized educational plan and, should changes be made, consent to them. When children reach the age of 14, they also have the right to help plan their educational program.

—Each child's progress must be reviewed regularly, and his or her educational plan and the services provided under it modified in accordance with new information.

—The local school district is responsible for providing appropriate special education services and for transporting students to those services.

—The professional personnel charged with the responsibility for implementing special education must have attained specified criteria of professional training. Moreover, the school district must provide continued inservice training to all of its staff concerning the provision of special education services.

The new law immediately became a model for legislative revision elsewhere, and its influence on Public Law 94-142 is readily apparent.

Chapter 766 has been in effect for seven years at the time of this report. It has significantly affected fiscal management, the organization and operation of school systems, the availability and quality of special education services, and the responsibilities of administrators, teachers, and special service personnel. Although the early years of implementation were hectic and uncertain, educators and concerned citizens throughout the state are increasingly convinced that the negative problems initially encountered were transitory. With justifiable pride, they point to new and better programs, increased skill and knowledge in classrooms, and heightened sensitivity and understanding of the needs and capabilities of handicapped citizens. In their eyes, 766 has provided opportunities to change and to grow, a challenge to improve.

On the other side of the coin, they acknowledge that some change was imposed where it was not always welcome and that administrative and bureaucratic procedures had considerable organizational costs. Local people thus see the law as having required a series of compromises in which some privileges were given up in order to gain some benefits.

CONTEXT OF THE EVALUATION

In the summer of 1979, a group within the Division of Special Education began to plan a study to assess the effect of Chapter 766 on children and school systems across the state. Headed by Roger W. Brown, Associate Commis-

sioner of Special Education, the group agreed that the basic purpose of the study was to determine the impact of Chapter 766 on the availability and quality of special education and related services during the first five years of its implementation.

After this initial idea was approved by the Board of Education, the Associate Commissioner asked a member of the group, Dr. James McGarry (who became the Project Director), to develop a concept paper outlining the issues, possible approaches, and problems connected with a statewide evaluation. Concerns identified included:

(*1*) the need for credibility, that is, assurance that the study would maintain a high degree of objectivity even though the state agency funding and coordinating it had an interest in the study's outcome, (*2*) the difficulty in developing an evaluation design broad enough to match the comprehensiveness of the law, and (*3*) the limitations of techniques for determining educational progress.

It was clear that the Massachusetts Department of Education could benefit from an objective analysis of strengths and weaknesses in the implementation process. An evaluation would have to identify problems in providing the services that the law and regulations had promised, but the Department also needed a comprehensive study effort resulting in viable recommendations for future policy options.

Brown decided to see if the federal government would be interested in subsidizing such a study. Since Chapter 766 and Public Law 94–142 were so similar, it seemed clear that the proposed evaluation could be tailored for use on the federal level. In response to a subsequent federal request, a field-initiated research proposal was developed in October 1979. The U.S. Department of Education agreed that the Massachusetts study would provide useful evaluation experience to other states and supported 40% of the study with federal research dollars.

Associate Commissioner Brown favored a flexible and responsive approach rather than a rigid methodology with a fixed set of objectives. The intent was a process in which experts and policy groups would generate ideas, receive responses, and modify their ideas accordingly.

A four-phase study plan was developed (see Figure 1–1). Phase I set the objectives for the study and identified data that the department already had. Phase II included in-depth studies of issues, case studies in selected school systems, and surveys to help the department see the landscape of special education more clearly: the character of the programs, the nature of the services, the profiles of children needing special education, the cost of programs, and the views of various groups.

Phase III analyzed the information from the data review and field studies to determine the options available to fill gaps and take advantage of successes identified by field research. The analysts worked with policy level groups and consultants as well as field evaluators to describe the special education picture in the state and relate issues emerging from the study to future policies and procedures which Department of Education decision makers could implement.

Phase IV identified reporting and disseminating as a major goal of the study. A manual describing how the Massachusetts evaluation strategy worked will be used as a model for other states interested in doing a similar evaluation. The National Association of State Directors of Special Education in Washington agreed to assist Massachusetts with dissemination of all study results on a national basis.

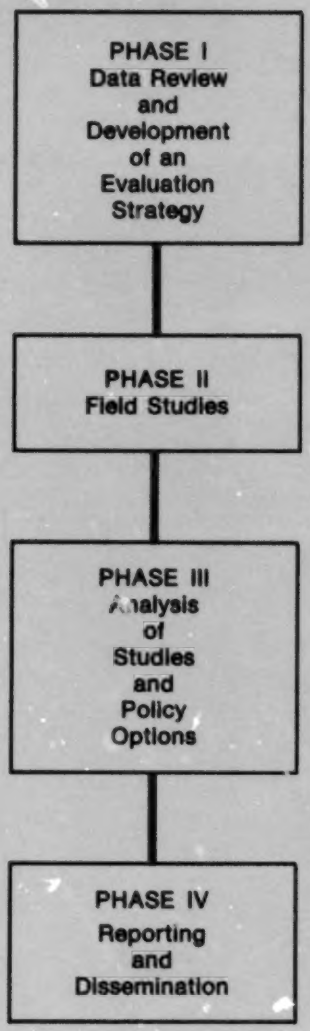


Figure 1–1: Preliminary Study Plan for 766 Evaluation

Considering that the evaluation was a large-scale statewide study conducted by a bureaucracy, the open way in which the department developed the design, conducted the study, and analyzed the results is noteworthy. From the beginning, the department involved representatives from most major groups concerned with education in Massachusetts. Participants included members of advocacy groups, professional organizations representing superintendents and school committees, and the academic and research communities.

The groups participating included:

Massachusetts Association of School Superintendents,
Massachusetts Organization of Educational Collaboratives,
Massachusetts Association of School Committees,
Massachusetts Teachers' Association,

Executive Office of Human Services,
Massachusetts Advocacy Center,
Massachusetts Association for Retarded Citizens,
Massachusetts Association of Approved Private Schools,
Federation for Children with Special Needs.

Special needs students, parents of students with special needs, and directors of special education were also represented.

Academic consultants came from:

Boston College, Boston University, Harvard University, Massachusetts Institute of Technology, Northeastern University, Tufts University, and the University of Massachusetts.

This open process was designed to increase the objectivity of an evaluation initiated by the agency responsible for implementation of the program being evaluated.

An assumption underlying the involvement of these groups and that of department decision makers was that the actual implementation of evaluation results depended on considerable participation throughout the evaluation process. Research has made it clear that most evaluations are not used in the ways intended. What the designers of the Chapter 766 evaluation anticipated was that department decision makers who were involved in the evaluation process would be more likely to use the evaluation results and that the involvement of other concerned groups in the evaluation process would create further momentum and pressure for action.

The open participatory process and the flexible design of the study make this final report something less than final. Although it does synthesize the findings from the principal substudies and offer recommendations to the Department of Education, the final report is part of a process which should go on for several months after the formal completion of the study. The Division of Special Education and other groups concerned with the process will need to consider the findings and recommendations with some care. The report is an effort to help the department map out right-of-ways through the landscape of special education; building the roads will take much longer.

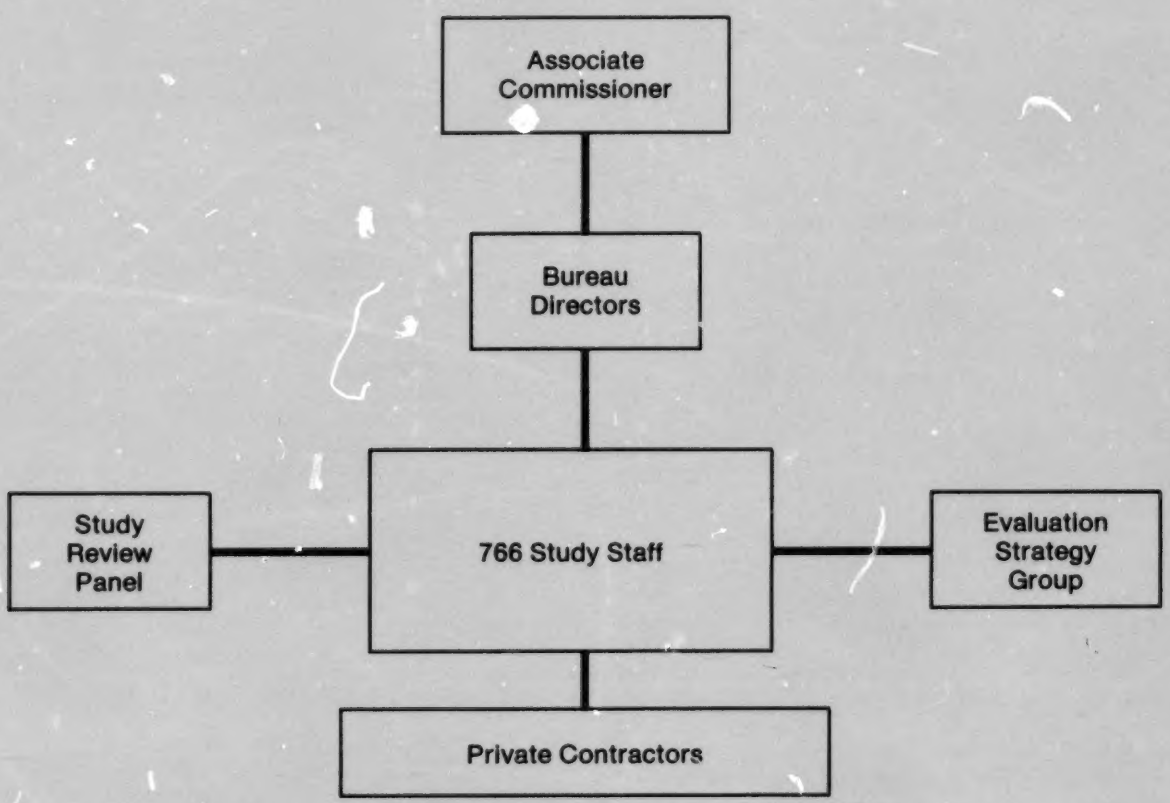


FIGURE 2-1: The Evaluation Team

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CHAPTER 2: Evaluation Strategy

OVERVIEW:

The planning phase of the evaluation began early in 1980. The Study Review Panel and the Evaluation Strategy Group were formed to encourage participation in all levels of the evaluation from the diverse groups with an interest in Chapter 766. After initial meetings, in a remarkable display of consensus, all groups agreed on a four-phase study design which emphasized evaluating the effects of Chapter 766 in five areas: regular education, fiscal issues, development of individualized educational programs, secondary education, and provision of special education in the least restrictive appropriate setting.

Phase 1

Phase I consisted of a series of data studies and analyses, initiated in the fall of 1980.

Phase 2

Phase II consisted of a series of field studies initiated in late 1980 and continuing to early 1982. The most important field study was the coordinated case studies examining the impact of Chapter 766 in fifteen school systems. The coordinated case studies were conducted by the Huron Institute. As part of Phase II, the Gallup Organization surveyed the general public and concerned groups to gather their perceptions of Chapter 766. The major purpose for this substudy was to test the degree to which the case study results were representative across the state.

Phase 3

Phase III involved the synthesis of the principal findings of the substudies and the development of recommendations for the Department of Education's consideration. Both the Study Review Panel and the Special Education Bureau Directors have had the opportunity to review and comment on the analyses and recommendations, as have selected academic consultants. Involvement of the bureau directors was considered crucial since they are the middle level managers who will carry out decisions made by the department based on the evaluation.

Phase 4

In Phase IV, the National Association of State Directors of Special Education (NASDSE) will assist the study staff in disseminating the evaluation results outside of Massachusetts. Inside Massachusetts, the Study Review Panel and the department bureau directors will disseminate the results to constituency groups and local school systems.

HOW THE STRATEGY WAS DEVELOPED

The development of an evaluation team posed a strategic dilemma because it was important for the department to maintain objectivity while evaluating the results of its own actions. In order to help preserve objectivity, the department decided to include, at all levels of the evaluation, representatives of the diverse groups affected by Chapter 766. The Evaluation Strategy Group, consisting of consultants from local universities, research staff from the department, and school system representatives, offered technical advice and helped to develop a research design, as well as reacting to policy decisions.

The Study Review Panel met at frequent intervals to review study progress and to advise the department concerning important decisions related to the study. The members of this group represented parents, students, school committees, superintendents, administrators of special education, teachers, advocacy groups, collaboratives, private schools, and human service agencies. The members of both advisory groups played an important role in shaping the direction of the study. (Affiliations of group members are provided in Chapter One.)

The department staff involved in the study included Associate Commissioner Brown and the Bureau Directors of the Division of Special Education, as well as the 766 Evaluation Study staff. The study staff was small, consisting of the Project Director, his assistant and an intern. The department staff, the Evaluation Strategy Group, and the Study Review Panel made up the evaluation team (see Figure 2-1).

By March 1980, it was time to develop the four original study phases into an evaluation strategy. The Evaluation Strategy Group met to examine evaluation strategy options. The deliberations of this group, along with the advice of the Study Review Panel, helped Associate Commissioner Brown reach a final decision on the research strategy for the 766 Evaluation.

All field and data studies were open to a competitive bid process. For each study, the staff developed a request for proposals, which was then released to a list of from 30 to over 100 qualified bidders. Interested bidders responded with proposals which were reviewed by department staff, technical consultants from the Evaluation Strategy Group, and representatives of the Study Review Panel to determine a final award. Although it delayed the study considerably, this method provided the department with an opportunity to choose from among the best researchers in the country.

An important condition that the Commissioner of Education set on the evaluation was that it disrupt local school systems as little as possible. The department was sensitive to the concern of local school superintendents that research activities and requests for information initiated by state

agencies, the federal government, and private research not interfere with the main business of education. Therefore, an important aspect of the first phase of the evaluation consisted of a series of data review studies which began in August 1980. The goals of this phase were to organize data previously collected within the department and analyze that data in relation to the evaluation of Chapter 766.

Phase II of the study effort was initiated at the same time as the data review study. A list of 27 study areas thought to be important for the field study was presented to the Study Review Panel. It was expected that it would be difficult for the panel to reach consensus because its members had been chosen to represent diverse advocacy and professional opinions. Surprisingly, however, they agreed on the following five study areas which became the basis of both the evaluation strategy and the coordinated case studies:

- The effect of Chapter 766 on regular education;
- The effect of Chapter 766 on the provision of special education in the least restrictive appropriate setting;
- The effect of Chapter 766 on the development of individualized educational plans;
- The effect of Chapter 766 on secondary education;
- The effect of fiscal/funding issues on the implementation of Chapter 766.

CHAPTER 3: Methods

OVERVIEW:

This chapter presents the methodologies used to conduct the various studies. This information is useful to those readers who are familiar with research and want to understand more clearly the information on which the major findings are based. Readers interested primarily in the findings may prefer to begin with Part Two.

The coordinated case studies were designed as a set of in-depth case studies of local school systems. The Huron Institute report described how local school systems were responding to the law's requirement and explained, to the extent possible, the reasons for the responses. The report was based primarily on interviews with a wide variety of respondents including special education and regular education administrators and teachers, parents, school committee members, advocate groups, and students receiving special education. The interviews were conducted by staff of the Huron Institute in three rounds of field visits from January to June 1981. The report was a synthesis of the information from 15 school systems.

Huron selected sites for case study randomly from a matrix designed to categorize school systems based on socio-economic, educational, and special educational data. The sites represented approximately 10% of public school students, 10% of the special education enrollment, 25% of the minority enrollment, and 25% of the bilingual enrollment of students in Massachusetts. (The case study of Boston increases Huron's total analysis to 18% of the students enrolled in special education in Massachusetts.)

The Gallup Organization conducted a mail survey with a statewide sample of principals, special education and regular education teachers, as well as all public school superintendents, special education directors, school committee chairpersons, collaborative directors, and administrators of approved private schools. In addition, they conducted telephone interviews with statewide samples of parents of students in both regular education and special education programs. Nonparents were also interviewed. For all sample groups, Boston residents were slightly oversampled. All interviewing was conducted during November–December 1981.

The first phase of the Chapter 766 evaluation consisted of a series of data review studies within each bureau of the Division of Special Education in order to organize previously collected data and to develop more efficient methods for future data collection. In November 1980, RMC was awarded a contract to coordinate these bureau data review studies, to develop a master file of data from these studies and other sources, to conduct initial analyses of these data, and to provide training to department staff in the use, maintenance, and updating of this file.

The creation of the master file began with the selection of relevant data from the School System Summary Report and the End of Year Pupil and Financial Report received from each school system for the 1977–78, 1978–79 and 1979–80 school years. As data from the bureau data review studies became available, they were added to the master file. In addition, personnel data from the Annual Program Plan and selected demographic data were added to the file. This process was completed in July 1981. At that time, RMC began to conduct initial analyses of the master file data according to a strategy developed with the Chapter 766 Evaluation Study staff.

THE COORDINATED CASE STUDIES

The method of approach used in conducting the coordinated case studies was an investigative field research model. The model involved a comparision of data from three principle sources: intensive interviews, document review, and observation. Huron developed a sample of 15 school systems so as to capture the broad range of community types within Massachusetts.

Next, Huron reviewed selected fiscal information and service delivery data on the sample school districts and on the state as a whole. They then conducted three rounds of field visits in each school system. These field visits involved intensive interviews with administrators, teachers, parents, students, school committee members, and advocate groups, as well as observations of programs in action. Following each field visit, they analyzed the sites visited. At the conclusion of each total round of field visits, they analyzed data across sites. They have written individual case studies of each of the 15 school systems included in the coordinated case studies.

Site Selection

In selecting 15 sample communities for the coordinated case studies, Huron wished to choose sites that would be representative of characteristics of the state outside Boston and at the same time present diverse approaches to implementing Chapter 766. They chose candidate sites by means of a stratified random sampling plan.

Huron began by categorizing the 350 Massachusetts cities and towns outside Boston according to region and community type. They divided communities into four regions corresponding to the six Department of Education regions, combining Greater Boston with Northeast and Springfield with Pittsfield. Within each region, they divided communities into five community types corresponding to U.S. census classifications: central cities; suburbs with more than 50,000 people; suburbs of less than 50,000

TABLE 3–1: Regional and Community-Type Distribution for Massachusetts Cities and Towns (Excluding Boston,) 1975.

(The Huron Report, Chapter 3)

		East	Southeast	Central	West	Total
Central Cities	No. of Towns	3	3	3	4	13
	Pct. of Total	0.9	0.9	0.9	1.1	3.7
	Population	203,091	296,372	246,841	329,305	1,075,609
	Pct. of Total	3.9	5.8	4.8	6.4	20.9
Suburbs >50,000	No. of Towns	11		1		12
	Pct. of Total	3.1		0.3		3.4
	Population	777,101		65,564		842,665
	Pct. of Total	15.1		1.3		16.4
Suburbs <50,000	No. of Towns	72	38	38	26	174
	Pct. of Total	20.6	10.9	10.9	7.4	49.7
	Population	1,361,799	453,619	346,844	298,911	2,461,173
	Pct. of Total	26.4	8.8	6.7	5.8	47.8
Other >2,500	No. of Towns	11	21	26	10	68
	Pct. of Total	3.1	6.0	7.4	2.9	19.4
	Population	97,540	251,791	227,624	101,875	678,830
	Pct. of Total	1.9	4.9	4.4	2.0	13.2
Other <2,500	No. of Towns	2	12	12	57	83
	Pct. of Total	0.6	3.4	3.4	16.3	23.7
	Population	3,882	17,189	17,353	54,791	93,215
	Pct. of Total	0.1	0.3	0.3	1.1	1.8
Total	No. of Towns	99	74	80	97	350
	Pct. of Total	28.3	21.1	22.9	27.7	100.0
	Population	2,443,413	1,018,971	904,226	784,882	5,151,492
	Pct. of Total	47.4	19.8	17.6	15.2	100.0

people; other communities with more than 2,500 people; and other communities with less than 2,500 people. The number of communities in each category and their aggregate 1975 population are shown in Table 3–1.

They next apportioned 15 sites among the 20 region-by-community-type categories according to the total population and number of towns in each category. The first method favored large population centers and the second regions with smaller populations. For the final allocation, they simply averaged the number of sites in each cell given by the two methods (see Table 3–2). The sample contained six sites in the east and three in each of the other regions; there were two central cities, two suburbs over 50,000 people, six suburbs under 50,000, three towns outside urban areas with over 2,500 people, and two towns outside urban areas with under 2,500.

From among the cities and towns in each region and community type, Huron selected at random three candidates for each final site. In the east, for example, they picked three towns outside urban areas over 2,500 people, six suburbs over 50,000, and nine suburbs under 50,000. For each candidate, they collected data on 15 characteristics of the communities, school systems, and special education programs and analyzed the data to insure that the sites were broadly representative.

After studying the data available for each candidate site, the Huron study staff proposed a tentative list of 15 final sites. They submitted the proposed sites, along with the entire list of 46 candidate sites, to the bureau directors of the Division of Special Education, the Chapter 766 Study Review Panel, the regional offices of the Department of Education, other experts suggested by the division, and their own technical advisors.

As a result of reviewer comments, they substituted four candidate sites for communities on their first-choice list. One small town was removed because of possible conflict of interest; one suburb was eliminated because it was adjacent to another study site; and two cities were changed because of potential lack of access to the school systems and unusual strain on the special education staffs. Two other communities, both eastern suburbs over 50,000 people, declined to participate in the study. In all six cases, Huron replaced the communities that were lost with other candidates of the same regions and community types whose demographic, school system, and special education characteristics were as similar as possible to those of the original choices.

Comparing community, school system, and special education characteristics of the sample sites with those of the state as a whole, the means of the sample are reasonably close to those for the state. The sample embraces a wide diversity of communities for each characteristic.

The sample was purposely weighted toward communities with larger populations than the state median. One source of this shift was the allocation of sites by region and community type, which for reasons of equity was weighted partly according to population. Another source was Huron's tendency to choose larger than average communities within each region and community type when selecting final from candidate sites. There were three main reasons for this preference. First, they thought it likely that larger sites would be more challenging to study and that their

TABLE 3–2: Allocation of Sites by Region and Community Type
(The Huron Report, Chapter 3)

A. Allocation Weighted by Population

	East	Southeast	Central	West	Total
Central Cities		1	1	1	3
Suburbs >50,000	3				3
Suburbs <50,000	4	1	1	1	7
Other >2,500		1	1		2
Other <2,500					0
Total	7	3	3	2	15

B. Allocation Weighted by Number of Communities

	East	Southeast	Central	West	Total
Central Cities					0
Suburbs >50,000	1				1
Suburbs <50,000	3	1	2	1	7
Other >2,500		1	1	1	3
Other <2,500		1	1	2	4
Total	4	3	4	4	15

C. Allocation Weighted by Population and Number of Communities

	East	Southeast	Central	West	Total
Central Cities		1		1	2
Suburbs >50,000	2				2
Suburbs <50,000	3	1	1	1	6
Other >2,500	1	1	1		3
Other <2,500			1	1	2
Total	6	3	3	3	15

results would be more representative than those from smaller sites within each category. Second, larger sites provide a fuller sample of special needs students for individual case studies. Third, large population often went hand in hand with other variables, such as substantial minority and bilingual enrollments, that were considered important to the study.

Although the sample consisted of only 4.3% of all communities outside Boston, it included 10.6% of the 1980 population, 10.3% of the 1979–80 public school enrollment, 10.3% of special education enrollment, 25.8% of minority enrollment, and 25.2% of students whose first language was other than English. As a result of the preference for larger communities, the sample means differed from those for the state for some characteristics. The sample had a slightly lower per capita income and equalized property valuation per capita and per student. There were more independent school systems and fewer members of school unions and regional systems than one would predict from the state distribution. Nonpublic, minority, and bilingual enrollments were considerably higher than average.

However, aside from the proportion of minority and bilingual special needs students, most special education characteristics, including per pupil expenditures, were remarkably close to state averages. The noteworthy exception is a slightly lower proportion of 502.1 and 502.2 placements (25% or less of student's time spent outside of the regular education program) and a higher proportion of 502.4 placements (substantially separate programs) in the sample than in the state as a whole. As with minority and bilingual enrollments, these differences were almost wholly attributable to the two central cities in the sample.

Student Selection

The basis for the second round of site visits and Huron's observation of the day-to-day operation of special needs programs was the selection of a sample of five students in each community. Huron asked the administrator of special education to select up to 30 students at each site; the Huron study staff, in consultation with the administrator, selected the final five students from among those whose parents had responded to a request to participate in the study. After the students had been selected, Huron field researchers carefully reviewed the students' files and interviewed their teachers, specialists, principals, parents, and, when appropriate, the students themselves.

Huron began student selection by determining how many candidate students were to be chosen at each site and how many should be selected at each grade level (elementary or secondary), of each sex, and in each prototype range (502.1–.2, 502.3–.4, and 502.5.7).* Predicting a response rate of 50%, they asked administrators to choose from 15 to 30 students, depending on the size of the school system.

For systems that belonged to collaborative programs, they asked administrators to choose two students in collaborative programs, and they asked all administrators to select two secondary students in vocational programs. If the community had a substantial minority or bilingual enrollment, they asked for a number of nonwhite or bilingual students. Their goal in setting figures was to insure a final sample that reflected, as nearly as possible, the statewide distribution of students by sex, grade, prototype, race and language.

In asking special education administrators to nominate students, Huron of course risked their biasing the sample in favor of "success stories." They therefore asked each administrator to include some students whose passage through the Chapter 766 process had been exemplary, others who had presented a challenge to the school system, and still others whose experiences had been "average" or "typical." Most administrators recognized the importance of providing a cross-section of the student population, and some went out of their way to recommend "problem" cases.

After Huron staff had reviewed the distribution of candidate students at each site, the special education administrators mailed parents invitations to participate in the study and permission forms to be returned to the schools. In order to maintain confidentiality, Huron researchers

* Prototype refers to the Massachusetts system of classifying programs according to the amount of special education the student receives and the place of delivery of the services. See the glossary for further information.

were not told the names or addresses of students until their parents had agreed to participate and to permit Huron access to student records.

Huron staff then decided on the final five students to be studied at each site, taking into account the potential informativeness of each case, the administrator's recommendations, and the effect of the selection on the overall sample distribution of students by sex, grade, prototype, race and language.

The distribution of the 75 students in the sample by sex, grade level, prototype, race and language is presented in Table 3–3. The sample provided ample representation for students in each category. The sex and grade distribution was very close to the Huron goal. All communities but the smallest provided out-of-district placements. There were collaborative placements in nearly half the sites, and in others some cases were in informal collaboratives. Nonwhite and bilingual students were over-represented in comparison with averages for the state outside Boston. The interviewing of only one student in a vocational program was disappointing but was due entirely to lack of parent response.

Collection of Field Data

Huron used a flexible model of data collection based on three successive rounds of field visits to each of the 15 school districts. The first round of field visits consisted of two to three days of intensive interviewing with 10 to 15 people. They worked with administrators of special education to select interviewees who would provide a broad overview of Chapter 766 implementation and help them to "map the system." Typical interviewees included school committee members, superintendents, assistant superintendents, principals, administrators of special education, curriculum or program specialists, and specialists in charge of special needs staff, functions, and programs.

Also during the first round, they asked administrators of special education to nominate special needs students in accordance with the criteria described in the previous section of this report. Between round one and round two of the field work, final decisions were made on students for focal cases, and special education directors initiated contact procedures.

Following the first round of field research in each site, the field staff met with the two principal investigators. In preparation for this, they reviewed all field notes and generated a written set of site specific questions and issues for clarification. These were discussed at the meeting and used to structure additional field research in each site.

After Huron completed the first round of field visits in all sites, the full staff met for a cross-site analysis. The purpose of this meeting was to determine findings that were reasonably uniform across sites, to describe differences from site to site, and to attempt to explain these differences by identifying distinctive characteristics of the several sites or schools. The researchers who had worked in each community responded to the issues as data from their sites indicated.

Round two of the field research centered around the focal cases. The Huron staff reviewed the records of each student to determine the sequence of events from referral for special education to the present, to identify issues relevant to the case interviews, and to identify key participants in the case. They interviewed special education staff, parents, members of the regular education staff, representatives of out-of-district placements, and in some instances

Table 3–3: Final Student Sample

(The Huron Report, Chapter 3)

Grades K–8

	Whites			Nonwhites			Bilingual			Total		
Prototype	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*
502.1–.2	11	5	16		1	1	2		2	13	6	19
502.3–.4	9	8	17	1	1	2	2		2	12	9	21
502.5–.7	3	2	5		1	1				3	3	6
Total	23	15	38	1	3	4	4	0	4	28	18	46

Grade 9–Age 21

	Whites			Nonwhites			Bilingual			Total		
Prototype	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*
502.1–.2	3	7	10							3	7	10
502.3–.4	7	4	11	1	1	2				8	5	13
502.5–.7	5	1	6							5	1	6
Total	15	12	27	1	1	2	0	0	0	16	13	29

Total

	Whites			Nonwhites			Bilingual			Total		
Prototype	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*	*M*	*F*	*T*
502.1–.2	14	12	26		1	1	2		2	16	13	29
502.3–.4	16	12	28	2	2	4	2		2	20	14	34
502.5–.7	8	3	11		1	1				8	4	12
Total	38	27	65	2	4	6	4	0	4	44	31	75

the students themselves. Although the interviews were organized around issues relevant to each case, respondents were also questioned on the general study areas.

At the conclusion of the second round of visits, field notes included a summary of each of the five focal cases and additional notes on major study areas. A debriefing session also followed the second round of field visits. This in turn was followed by a second cross-site analysis session very much like the first but concentrating on the information gleaned from the new group of respondents.

Finally, in the third round of field visits, Huron sought clarification on any issues not yet fully understood. As might be expected, there was considerably more diversity in the third round of visits than in the first two. For example, in one site, the bulk of the third round was concerned with tapping the perspective of constituency groups in the community. In another, a non-save-harmless community,* fiscal issues were pursued in more detail.

After the third round of field visits, members of the research staff responsible for each site generated a detailed topical outline for the case study for that site. In the debriefing session that followed the third round of field visits, these outlines were reviewed and modified as necessary.

Final Analysis of Fiscal and Pupil Services Data

While the central research activity in the Huron study consisted of field work in 15 school districts, as a supporting effort they examined fiscal and service delivery data on a sample of 18 school districts** and for the state as a whole. In particular, they focused on three sets of information: selected revenue and expenditure variables for regular day and special education from the summary section of the "Annual End of School Year Pupil and Financial Reports" (AFR); some more detailed data from the AFR on costs and net average membership for special education in general and by prototype; and data published by the state Department of Education on per pupil expenditures for regular day, special education in general, and by prototype.

Most of the data they analyzed was coded directly from reports provided by the state Department of Education. In a few cases, they supplemented this with data from other published sources, and corrected individual data points that were proven erroneous when validated against other sources.

Their intent in this part of the research was to examine historical trends spanning the period Fiscal Year 73 through 80. (Data on Fiscal Year 81 were not available at the time the research was undertaken.) They had relatively complete data for Fiscal Years 77, 78, 79 and 80. Whenever possible, they gathered comparable information for Fiscal Year 73 (a base year prior to the implementation of Chapter 766) and Fiscal Year 75 (the first year of 766 implementation.)

In order to provide some context for assessing historical trends in special education services and expenditures, they also conducted, where appropriate, a comparable analysis of historical trends in regular day programs. In addition to examining state total data, they reviewed these trends in the study sample.

In general, the results for the study sample of 18 school districts were quite similar to those for the state as a whole and were not reported. However, when the study sample was broken down into two groups—11 communities designated save-harmless in both Fiscal Year 79 and 80 under the new school financial legislation, and 5 communities that were non-save-harmless—some consistent, large, and interesting differences emerged for revenue, expenditure, and some service delivery variables.* Differences in the revenue variables were anticipated because this is exactly what the school finance reform of 1978 was intended to effect. Huron did not believe, however, that expenditure and service delivery findings were causally linked to whether a community was save harmless or not. Rather, in these cases "save-harmless" was a proxy for non-urban, and what Huron reported were essentially differences in expenditure and school practices for urban and non-urban schools.

In general, the data in more recent years, particularly Fiscal Year 79 and 80, were of better quality than the earlier data. Some of the earlier data, particularly Fiscal Year 75 information on special education expenditures, net average membership, and head counts, were highly suspect. In the first year of implementing Chapter 766, the cost accounting and reporting standards were unclear, and given the cost-driven reimbursement formula there were obvious incentives to over report special education activities. A certain degree of caution is in order before interpreting any of these data. Nevertheless, Huron believed that the data were adequate for examining overall trends, particularly at the state level, even though any individual piece of information on a single community in any given year might be highly erroneous.

THE STATEWIDE SURVEY

The objective of the survey conducted by the Gallup Organization was to measure awareness and opinions of educators, parents, and the general public with regard to:

- The comprehensiveness of Chapter 766;
- The stated and implied goals of Chapter 766—
  - —The state's responsibility to provide public school education for all special needs students,
  - —Maximum involvement of parents in their children's education,

*Save-harmless and non-save-harmless designate two different forms of reimbursement by the state. Save-harmless communities are reimbursed at a rate of not more than 107% of the previous year's expenditures; non-save-harmless communities are reimbursed according to their actual expenditures.

**In selecting sites for case studies, Huron focused on individual communities and selected 15. Three of them were also members of regional organizations with school district status. Since the Annual Financial Report reported data on units separately, for purposes of fiscal analysis they had to treat them as additional units. Hence, the apparent discrepancy between 15 and 18 sites.

*Two school districts from the total study sample are deleted from these analyses because their save-harmless/non-save-harmless distinction varied from Fiscal Year 79 to 80.

TABLE 3–4: Returns From Mail Survey

(Gallup Report, Introduction)

	Superintendents	Principals	Special Education Directors	School Committee Chairpersons	Special Education Teachers	Regular Education Teachers	Collaboratives	Approved Private Schools
Size of Initial Mail-Out	282	503	288	439	900	1,400	42	125
Total Universe Used to Calculate Response Rate	282	503	288	351	898	1,388	40	124
Number Returned After 2 Weeks	110	226	142	45	215	277	14	44
Percent Returned After 2 Weeks	30%	45%	49%	13%	24%	20%	35%	35%
Total Received From First Mailing	158	295	194	117	338	386	21	72
Total Received From Second Mailing	33	66	27	74	93	161	5	17
Total Not Traceable to Either Mailing	3	2	6	1	1	22	—	—
Final Count—Questionnaires Received	194	363	227	192	432	569	26	89
Overall Response Rate (Percentage of Initial Mail-Out	69%	73%	79%	55%	48%	41%	65%	72%

—Least restrictive environment,
—Individualized educational plans;

- Overall evaluation of Chapter 766–
  —Impact on regular education students,
  —Impact on special education students,
  —Positive aspects of Chapter 766,
  —Negative aspects of Chapter 766;
- Evaluation of the implementation of Chapter 766—
  —Diagnostic procedures and placement,
  —Individualized educational plans,
  —Involvement of a broad range of professionals and communications between professionals,
  —Facilities, services, and training,
  —Fiscal issues.

Procedures for Mail Survey of Educators

The original sample of educators for this survey consisted of 3,979 potential respondents. Each educator was sent a letter encouraging participation in the survey and assuring its confidentiality, along with the questionnaire and a postage-paid, return-mail envelope. Eight different forms of the questionnaire were used, corresponding to the following sample groups: superintendents, principals, special education directors, school committee chairpersons, special education teachers, regular education teachers, directors of collaboratives, and administrators of approved private schools.

The initial mailing took place from November 3–6, 1981. A unique four-digit number was included on the bottom right-hand corner of each questionnaire so that a record could be kept of those who responded to the first mailing. Educators whose questionnnaires were not received by Gallup after a two-week period were sent a second mailing of the original materials. This second mailing was conducted from November 24–30, 1981. Overall, 2,092 usable questionnaires were obtained.

In the few instances where more than one questionnaire was received from a respondent as a result of the two mailings, only the first questionnaire was accepted. Table 3–4 outlines the returns from both mailings for each group.

Procedures for Telephone Interviews

To obtain the two parent samples, schools were contacted by the Gallup Organization and asked to supply Gallup with the telephone number (with no names) of students enrolled in the regular education and the special education program in their school. Up to three calls were made for each telephone number in an effort to obtain a telephone interview.

For the nonparent sample, a statewide representative sample of telephone numbers was selected from Massachusetts telephone books. The last digit of the telephone numbers was then systematically altered to allow unlisted and newly listed telephone numbers to fall into the sample. Each household was then screened to determine whether or not there was a child in the household who attended a Massachusetts public school. A three-call design was also used for this sample.

In order to measure whether there were any statistically significant differences between those who returned questionnaires and those who did not, a follow-up telephone survey was conducted. A sample of 100 principals and regular education teachers who received survey materials but did not respond were telephoned and asked a subset of questions from the survey.

THE COORDINATED DATA STUDY

Contents of the Master File

The master data file is actually an organized system of five data files which contain 1311 records or "cases"—one for each of 437 possible school systems in each of three school years: 1977–78, 1978–79, 1979–80. The records from all five files contain data for approximately 1,500 variables. Each variable represents a single datum collected from each school system. These data were taken from six different sources:

- End of Year Pupil and Financial Report;
- School System Summary Report;
- Annual Program Plan;
- Bureau of Special Education Appeals Study;
- Bureau of Program Audit and Assistance Study; and
- Bureau of Institutional Schools.

Data from the Bureau of Management are not yet available.

Only a portion of the data from the End of Year Report was put into the master file. The 392 variables from this source consisted of information on total expenditures, instructional service expenditures, special education functional expenditures, pupil transportation, reimbursement, membership, staff, pupils transported, and special education evaluation and assessment.

The Bureau of Institutional Schools provided data on a number of students from each school system served by each institutional school and in the school district incentive program.

In addition to the above data, the master file also contains codes for each school system, kind of community, region, and operational status, as well as codes for each school year.

Data Analysis Strategy

During preliminary analyses of the master data file, the need for refinements in the original data analysis plan became clear. The routine generation of basic descriptive statistics, such as means and totals, for all variables in the master file would not be very relevant to any evaluation of the impact of Chapter 766 except for certain key variables in the file (e.g., total expenditures, total students served, total staff, evaluation, reviews, etc.). The more relevant analyses would require the investigation of relationships among different variables for certain types of school systems, special education programs, and students.

However, the total possible number of such relationship-focused analyses would yield more information than anyone could meaningfully review, interpret, or report. A strategy was required for identifying selected variables and potential relationships which would be most relevant to the evaluation of Chapter 766.

Over the course of this study, such a strategy was cooperatively developed by RMC, the Chapter 766 Evaluation Study staff, the Division of Special Education, and outside consultants. The outcome of this strategy was a list of six study areas and prioritized analysis questions within each area. It was agreed that data analyses appropriate for the two highest priority groups of questions, and selected questions from the third priority group, from each study area would constitute the "initial" analyses of the master data file. A seventh area concerning statewide totals was added at a later date.

Following is a list of the seven areas which RMC analyzed in the final report:

- Statewide totals for selected variables,
- The atypical nature of Boston data,
- Characteristics of the special education population,
- Characteristics of staffing,
- Evaluation and assessment,
- Characteristics of cost,
- The significance of transportation in special education.

PART TWO : Issues Studied

CHAPTER FOUR : Financial Issues

CHAPTER FIVE : Special Education Services

CHAPTER SIX : The Interface With Regular Education

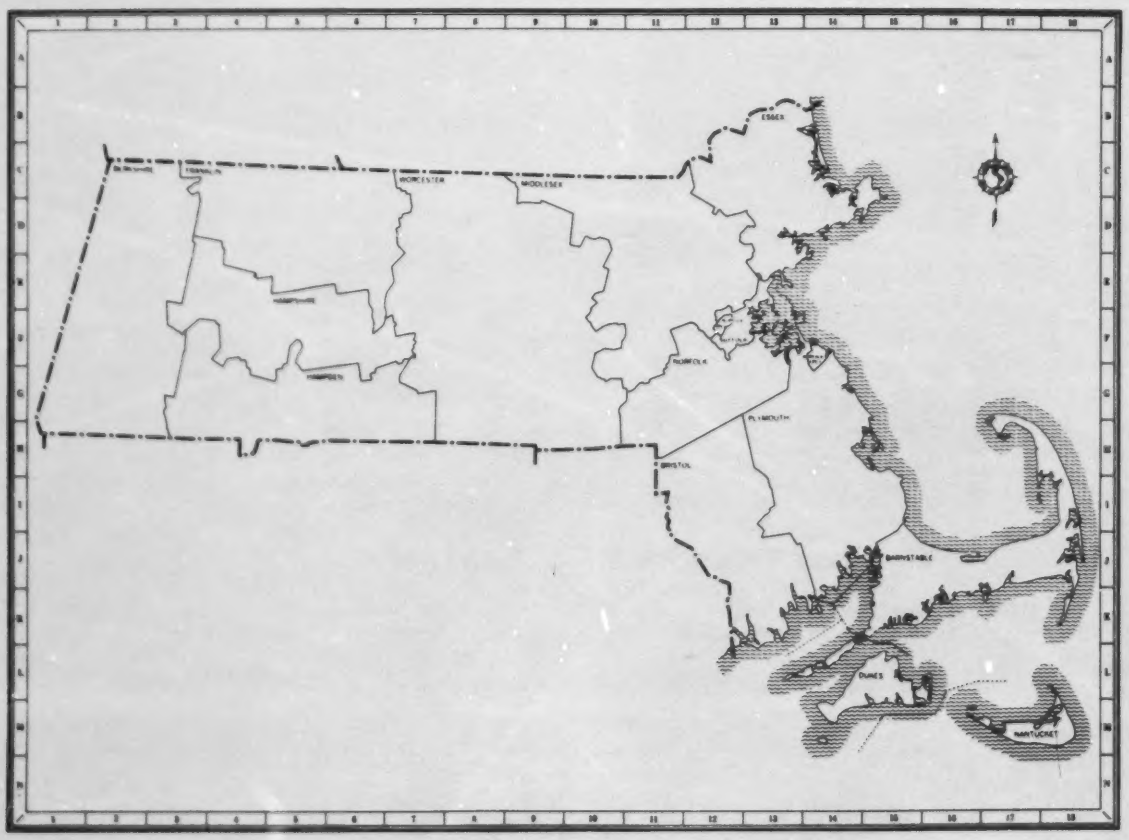
CHAPTER SEVEN : State/Local Relations

CHAPTER EIGHT : Secondary Education

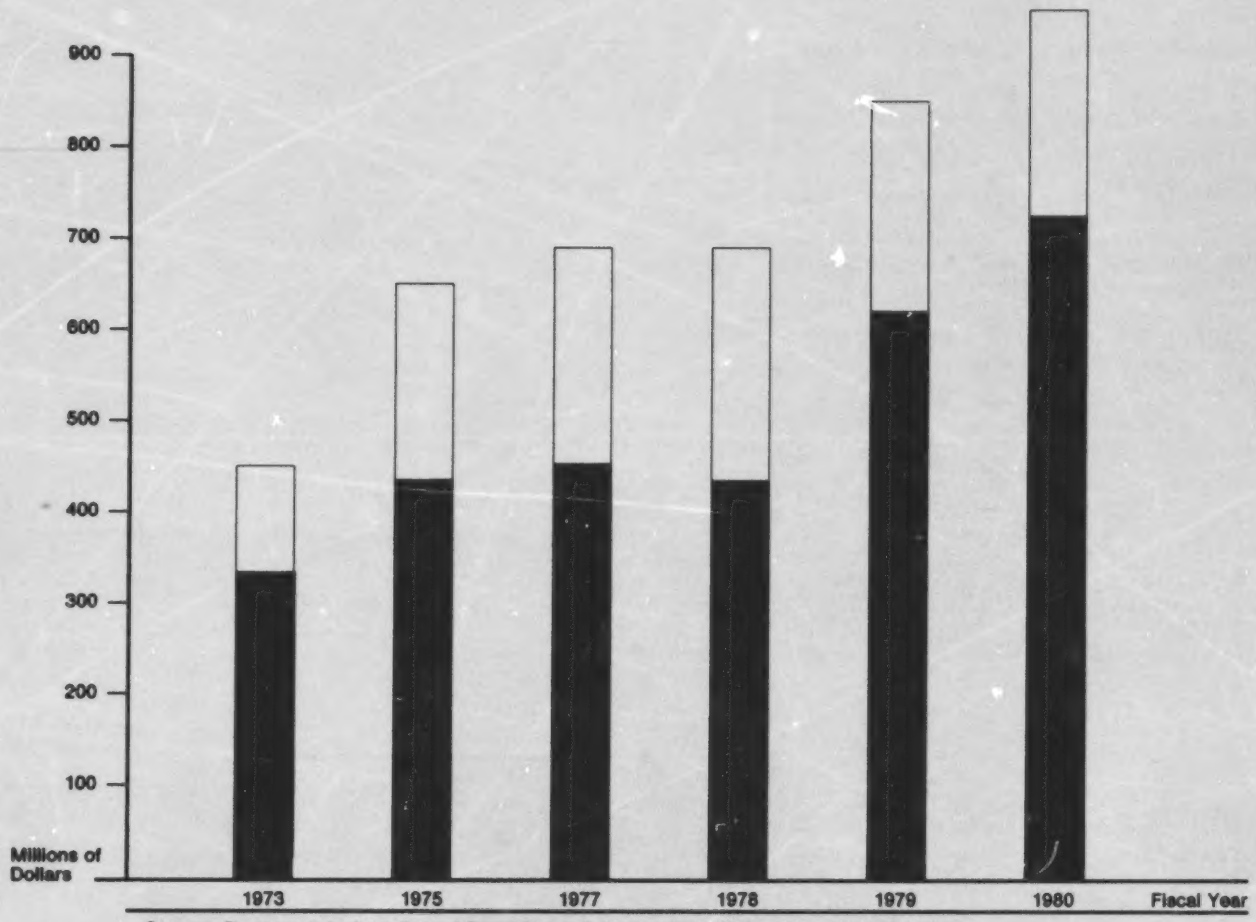
CHAPTER NINE : Individualized Educational Plan

CHAPTER TEN : Least Restrictive Environment

CHAPTER ELEVEN : Parent/School Relations



The figures in Chapter 4 represent relatively complete data for Fiscal Years 77 through 80. When relevant and possible, comparable information is given for Fiscal Year 73 (a base year prior to the implementation of Chapter 766) and Fiscal Year 75 (the first year of Chapter 766 implementation).



SOURCE: Revenue data from Annual Fiscal Reports, Massachusetts Department of Education

FIGURE 4–1: Total State Aid for Education

(Huron Report, Chapter 6)

(In this figure, special education data for FY1979 and 1980 are not shown because special education reimbursement in those years was not reported separately. Chapter 70 aid was treated as a block grant.)

- Special Education Reimbursements (excess cost)
- Chapter 70 Aid
- Other State Aid

CHAPTER 4: Financial Issues

INTRODUCTION

Each of the Part Two chapters on issues begins with an overview of the implications the study staff has drawn from the principal findings. The chapter continues with detailed findings related to the issue, labeling each and listing where more evidence can be found in the substudies. Recommendations are listed next, and where a recommendation follows from the finding, it is given under the same label.

The findings in Chapter Four concerning financial issues are derived, for the most part, from Chapters 5 and 6 of the Huron Institute Coordinated Case Studies. Most of those findings are based on analysis of statewide data. Some of the findings, however, are based on a small sample of five non-save-harmless* urban communities. The methods Huron used are described in Chapter 3 of this report.

Even the generalizations based on the small urban sample are reasonable within limits. For example, any community with both low property valuation and a low per pupil expenditure will find that state aid defrays most of the cost of its special education (in excess of the cost of regular day education). But Boston, though its property valuation is low, does not benefit from state aid to the same extent as the urban sites in the Huron sample because of Boston's high per pupil expenditures.

OVERVIEW

Several important and unexpected points emerge from our analysis of findings in the fiscal area. Most of them are points about which the general public as well as many educators may be uninformed. They include the following:

- The case studies found that local administrators do not manipulate special education placements to maximize revenues (even federal revenues).
- Since Fiscal Year 1979, the requirements of Chapter 766 no longer place a great financial burden on poor urban communities.
- In general, revenues raised through local taxes to support education in Massachusetts have remained relatively constant since Fiscal Year 1978.
- In Massachusetts, federal Public Law 94–142 funds are, in some respects, the most flexible part of the special education budget, allowing local school systems to develop new programs, improve management of special education, train staff, and redesign existing programs.
- The dramatic increase in special education expenditures for most communities occurred prior to Fiscal Year 1979, although expenditures in some urban communities, especially for private day school and substantially separate programs, have continued to increase.
- In general, expenditures for private placements continued to grow at a rapid rate, at least through Fiscal Year 1980.
- In preparing education budgets generally, there is seldom any understanding or discussion of the true (net) cost to the community of any expenditure or line item. even in communities where state aid reimbursed most of the cost of Chapter 766. School administrators surveyed by Gallup mentioned cost more than any other negative aspect of Chapter 766.

FINDINGS

State Aid

The growth in state aid for special education for Fiscal Year 1973 to Fiscal Year 1978 was quite dramatic, increasing about eight-fold. However, during this same period, in particular from Fiscal Year 1975 through 1978, total state support for education did not increase substantially. The increased aid for special education was made available by reducing general aid under Chapter 70* (see Figure 4–1).

Special education reimbursements and general aid came from the state appropriation, with special education reimbursements having priority. State appropriations for education during this period, however, did not keep pace with rapidly escalating costs for special education. Thus, increased aid for one account (reimbursements for special education) came by reducing aid in another account (general aid.)

Beginning with the new pupil weighted formula in Fiscal Year 1979, total state aid for education increased considerably. Referring back to Figure 4–1, we see that total state aid in Fiscal Year 1980 was 35% higher than in Fiscal Year 1978.

Assertions have been made, both in Massachusetts concerning Chapter 766 and at the national level concerning Public Law 94–142, that administrators have placed children in special education or in a specific special education program in order to maximize their districts' income. The Huron analysis refutes this charge.

* Non-save-harmless and save-harmless distinguish communities according to the system of state reimbursement for education for which they are eligible. Save-harmless communities are reimbursed for expenditures at a rate not to exceed 107% of the previous year's reimbursement. Non-save-harmless communities are reimbursed by a formula that takes into account their actual expenditures. The differences noted have to do with the character of the communities. The non-save-harmless communities are all urban; the save-harmless communities are non-urban.

* The Massachusetts law that provides state aid for education at the local level in categorical programs.

Before Proposition 2½* went into effect, the state system for reimbursing local educational expenses, together with divided local control of revenue and educational decisions, made attempts to maximize state revenues through manipulation of local practices highly unlikely. For one thing, 85% or more of the communities in Massachusetts in any given year have been designated as save-harmless. Under the save-harmless provision, the local aid is set by law at 107% of a base year or revised base year reimbursement, which is not subject to local manipulation. It is only in remaining non-save-harmless communities, primarily large urban school districts, that any manipulation could occur. Moreover, there are other serious impediments to efforts to maximize revenues by manipulation.

Special education state revenues are returned to cities and towns as only one part of a consolidated educational financial formula under chapter 70. While weighted special education membership is used by the state in determining the special education portion of the state aid, individual towns are only informed of the total Chapter 70 aid figure. No breakdown into component categories is provided. School district staff would have to engage in some complex and tedious calculations simply to figure the amount of state aid for special education in Fiscal Year 1979 or later.** Chapter 70 revenues, then, are like a block grant from the state to each school district. There is no requirement that the revenues be spent on the categorical programs that generated them.

In addition, state funds do not come directly or indirectly to school committees. As part of one line item on a sheet representing total state aid to cities and towns, the dollars flow to the town treasurer and are deposited in the general fund. Because they did not receive funds directly, the school committee, which developed the education budget before Proposition 2½ went into effect in July 1981, and school officials had no incentive to shape programs to increase state aid. And the officials who received state aid lacked the knowledge and control of programs.

Two features of Proposition 2½ have somewhat increased the possibility of manipulation of special education placements to maximize state aid. First, loss of local school committee autonomy may bring the revenue and expenditure sides of local education closer together, since town officials who receive state aid also control the total education budget. And second, the poor urban communities, which are likely to experience the greatest burden under Proposition 2½, have some possibility of increasing their state revenues by placing students in certain types of special education programs. The incentive exists for some communities, but the design of the school finance system will continue to make manipulation of local practices to maximize revenues a difficult and unpredictable business.

The case studies found few examples of school districts engaged in the process of analyzing state revenue formulas, figuring out how to create services, and assigning students to prototypes* in order to take best advantage of revenues from the state. Local administrators' response to revenue questions indicated a lack of understanding of basic features of the school finance formula—information essential to be able to manipulate it. Few could tell Huron how the formula actually works. According to the Gallup survey, however, many educators believed that they understood the process. Many more, especially among superintendents, special education directors, and school committee chairpersons, believed that this knowledge was very important. (see Table 4–1)

Huron staff analyzed data based on typical property valuation ratios for all communities in Massachusetts to determine what incentives exist for urban non-save-harmless communities to manipulate placement by prototype. They determined that communities would find it difficult to gain reimbursement for the full cost of special education under the present formula. Even with the poorest property valuation ratio, in five out of the eight prototypes the reimbursement in Fiscal Year 1980 does not meet the state average excess cost of special education in that prototype** (see Table 4–2).

In general, the current weighting formula does not fully reimburse the excess special education costs to most non-save-harmless communities. Rather, it achieves full reimbursement only at the extreme—low property valuation ratio and substantially below average per pupil expenditures. This finding must be viewed, however, within the context that total state aid for public education in poor urban communities has increased substantially. (Huron, Chapter 5; Gallup, Chapter IV)

* A recent law that limits the property tax rate. It also shifts final responsibility for the school budget away from school committees.

** As revised in 1978, Chapter 70 provides state aid to education under an equalizing formula for regular, special, bilingual, and vocational education. The formula is based on a concept of full-time equivalent (FTE) pupil costs multiplied by a weighted value for pupils requiring extra services. Thus, for example, students enrolled in regular program with modifications (prototype 502.1), a regular program with no more than 25% time out (prototype 502.2), a regular program with no more than 60% time out (prototype 502.3), a substantially separate program (prototype 502.4), a home and hospital program (prototype 502.7), a day program (prototype 502.5), or a preschool program for children with special needs (prototype 502.8) are assigned a pupil weight of 4. A full-time equivalent pupil enrolled in a residential program for children with special needs (prototype 502.6) is assigned a pupil weight of 6.3. Similarly extra weights are assigned for membership in bilingual and vocational education and for serving low income students. In addition to the weighted FTEs, the formula takes into account the ratio between equalized local and state property wealth per person. The full formula is as follows:

$$\text{Local District's Aid} = \left[1 - \left(\text{(p)} \frac{\text{Equalized Property Wealth Per Person (Local)}}{\text{Equalized Property Wealth Per Person (State)}}\right)\right] \times \left[\text{Total Need in Weighted FTE Pupils in Current Fiscal Year}\right] \times \left[\text{Statewide Average Operating Expenditure per Regular Day Pupil in Previous Fiscal Year}\right]$$

"p" = local support percentage (determined by state appropriation levels)
FTE = full-time equivalent

* Prototypes refer to the Massachusetts system of classifying programs by the amount of special education services the student receives and the delivery site. A complete listing of the various prototypes is provided in the note in column 1 of this page.

** Defined as the cost of special education in excess of the cost of regular day education. For more details on the analysis, see Huron, Chapter 5.

TABLE 4–1: Educator Understanding of Reimbursement Process

(Gallup, Chapter IV)

How Well Understand Reimbursement Process	Superintendents %	Principals %	Special Education Directors %	School Committee Chairpersons %	Collaboratives %	Approved Private Schools %
Very Well	52	10	42	30	27	29
Fairly Well	33	36	35	49	50	49
Not Too Well	8	33	16	13	19	17
Not at All Well	5	16	6	5	—	4
Don't Know	2	5	1	3	4	1
Total	100	100	100	100	100	100
Importance of Understanding Reimbursement Process						
Very Important	76	17	73	73	50	64
Somewhat Important	17	37	21	19	19	23
Not Too Important	3	32	3	4	19	10
Not at All Important	2	12	2	2	12	2
Don't Know	2	1	2	2	0	1
Total	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(26)	(89)

Net Local Expenditures

State aid through Chapter 70 is providing substantial financial relief to many of our urban communities; it would be hard to argue that a great financial burden has been placed on those communities by net expenditure* requirements of Chapter 766. As Proposition 2½ is implemented in urban communities, it may take a disproportionate share out of school system budgets in general and special education in particular. Yet, the Huron analysis of net local expenditures on education after state reimbursements clearly indicates that, for their sample of five non-save-harmless urban communities, school expenditures in general and special education in particular are not the culprits in rising local taxes.

* By net local expenditures, we mean local expenditures less state and federal aid, as well as any other reimbursements from outside the community.

Huron analyzed the expenditures and state reimbursements for special education in two large urban non-save-harmless school systems. Both communities have low property valuation ratios and per pupil expenditures below the state average. These two factors combine in the Chaper 70 aid formula to maximize state revenues relative to local expenditures. The results showed that, for these two communities at least, the state was paying almost the entire excess cost of special education.

In balance, we should note that these two communities represent extreme cases because of their low property valuation ratios and per pupil expenditures. Conducting the analysis described above on other urban communities, such as Boston, would typically yield a somewhat less favorable picture and suggest a higher net cost of special education in those communities. Nevertheless, the results are still remarkable because the pupil weighting system does not favor special education to the extent that the previous

TABLE 4–2: Calculation of Net Cost of Special Education by Prototype Based on Fiscal Year 1980 Data for All Communities in Massachusetts

(Huron Report, Chapter 5)

Prototype	State Average Excess Cost Per Pupil For Special Education Exclusive of Transportation	State Average Incremental FTE For Special Education	State Reimbursement in FY'80 for Excess Cost of Special Education for Property Valuation Ratios* of			Net Cost Per Pupil Per A Community With Property Valuation Ratios of		
			.5	.7	.9	.5	.7	.9
502.1	459	.231	266	194	123	193	265	336
502.2	609	.276	318	232	147	291	377	462
502.3	1506	1.116	1287	940	594	219	566	912
502.4	2274	2.379	2743	2005	1266	(469)	269	1008
502.5	3442	3.000	3459	2528	1596	(17)	914	1846
502.6	8207	5.300	6110	4465	2820	2097	3742	5387
502.7	386	.405	467	341	215	(81)	45	171
502.8	2833	2.394	2760	207	1274	73	816	1559

(See text for explanation of prototype)
* For an explanation of valuation ratios, see Glossary; .5 represents the poorest communities, .9 the least poor.

formula did, even though state aid in general has increased.

We find little support in urban communities for the premise that "the state mandates services, but fails to pick up the tab." A very dramatic turnabout in support for public education has occurred in these communities. For them, state aid through Chapter 70 is providing substantial financial relief. Although only 15% of Massachusetts communities are non-save-harmless, a large proportion of the state's population live in such communities.

Revenues to support public education in the Huron sample of urban communities have increased because increased state aid has more than offset declines in local tax revenues. In Fiscal Year 1980, the state provided over 60% of the support for general fund educational expenditures in those communities (Table 4–3). This was almost double the share provided by the state in Fiscal Year 1977. In the same period, in those communities, local tax-based revenues for public education declined on average by 32%. But total instructional expenditures continued to rise.

The decline in local tax support for public education in those non-save-harmless communities was not the result of declining budgets and expenditures. Rather, it occurred because of a substantial increase in state support for education in those communities. Chapter 70 aid to the Huron urban sample tripled between Fiscal Year 1978 and 1980. Overall, total state aid to these communities more than doubled over the same period (see Figure 4–2). These changes were substantial in size and constituted a dramatic shift in the way public education was supported in many urban communities.

Save-harmless communities, however, do suffer from the underfunding of Chapter 70 by the legislature. Their net cost runs even higher than non-save-harmless communities, like Boston, with high per pupil expenditures. Because general aid was low at the time the new formula was established, in some cases they are receiving less than they received in educational aid six or seven years ago. This disparity is not due to special education costs, but to the need for a more equitable aid formula, fully funded.

In the Gallup survey, school administrators mentioned cost more than any other negative aspect of Chapter 766. Many felt that the state had not adequately funded the program, placing an unfair tax burden on the local community. Others felt that costs for non-educational services, including transportation and treatment costs, should not properly be the schools' responsibility.

In general, revenues raised through local taxes to support public education were relatively constant in the period of Fiscal Year 1977 through 1980. For example in Fiscal Year 1978, 1.72 billion dollars were raised through local taxes by Massachusetts cities and towns in support of public education. In Fiscal Year 1980, the figure actually declined slightly to 1.69 billion dollars. These data certainly contradict the general perception that public education has caused increasing local tax burdens in recent years. That impression had its genesis in the period of Fiscal Year 1973 through Fiscal Year 1978, when support for public education raised through local taxes increased by 70% (see Figure 4–3). (Huron, Chapter 5)

TABLE 4–3: Changes in Support for Public Education in Huron Sample of Non-Save-Harmless Communities

(Huron Report, Chapter 5)

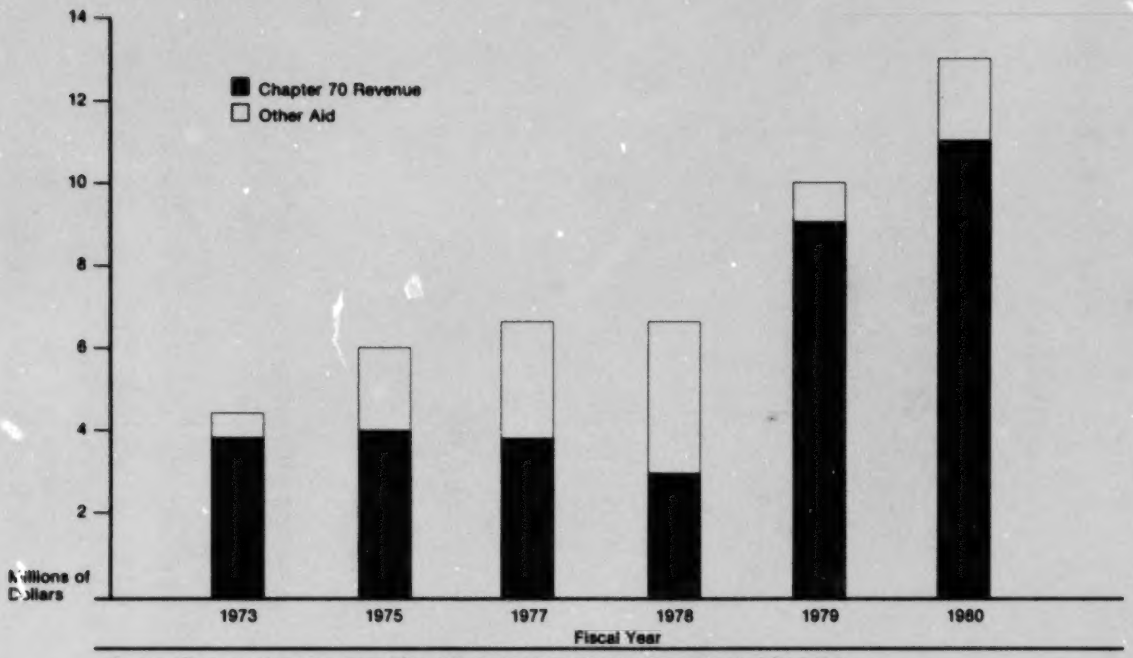
	FY 77	*FY 80*	
Average local tax based revenues	$14.5 million	$10.0 million	$4.5 million decrease in local tax based revenues
Average state aid	$7.25 million	$15.5 million	$8.25 million increase in state support
	state aid as 33% of general fund expenditures	state aid as 61% of general fund expenditures	$3.75 million net increase in revenues to support public education

SOURCE: Annual Financial Reports, Massachusetts State Department of Education.

Transportation Expenditures

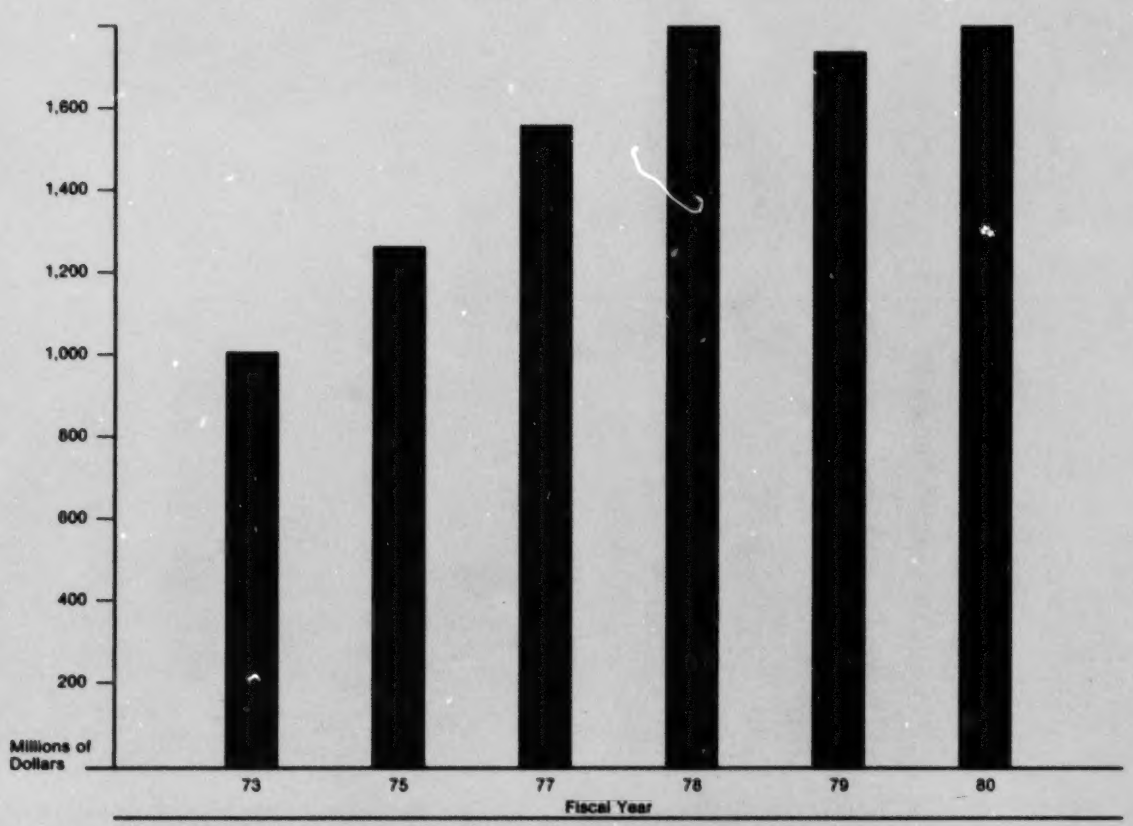
High transportation costs are a major source of concern, particularly in small rural communities, where special education services are often located in schools at considerable distances from students' homes. There are substantial cost differences between non-urban and urban communities for transportation expenses. In Fiscal Year 1980, the average special education transportation cost was about $1,175 per rider in the Huron sample non-urban communities and only $550 per rider in their urban communities (see Figure 4–4).

Statewide, in Fiscal Year 80 transportation costs constituted about 11% of the total expenditures allocated to special education. For regular education, the comparable figure was 6%. Transportation is a major cost element in the typical special education budget, third largest after teaching expenditures and tuition payments. Total expenditures on special education transportation have been increasing at a much faster rate than regular day transportation costs and have more than doubled since Fiscal Year 1975 while ridership has remained constant (see Figures 4–5 through 4–7).



SOURCE: Revenue data from Annual Fiscal Reports, Massachusetts Department of Education

FIGURE 4–2: Average State Aid for Public Education in Study Sample Urban Communities
(Huron Report, Chapter 5)



SOURCE: Revenue data from Annual Fiscal Reports, Massachusetts Department of Education

FIGURE 4–3: Support for Public Education Raised Through Local Taxes
(Huron Report, Chapter 6)

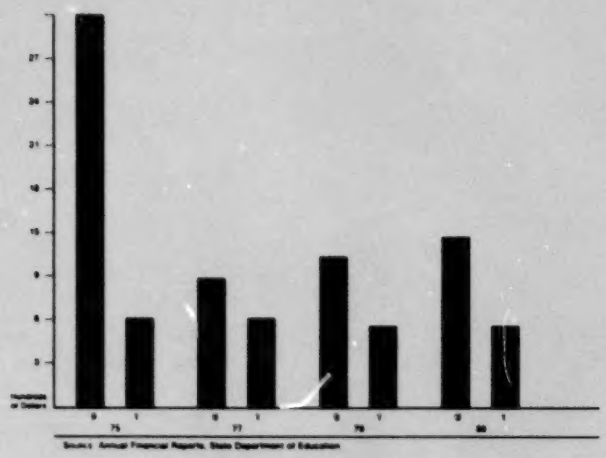
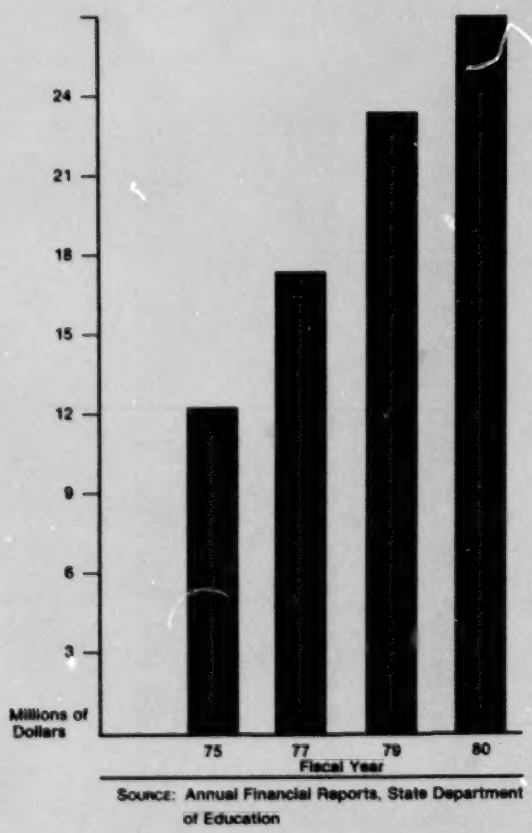
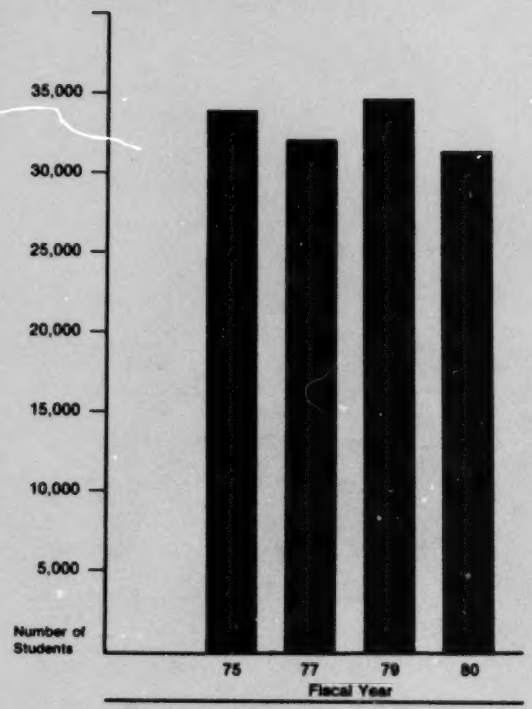


FIGURE 4–4: Special Education Transportation Costs Per Rider in Huron Study Sample
(0 = save harmless, 1 = non-save-harmless)
(Huron Report, Chapter 6)



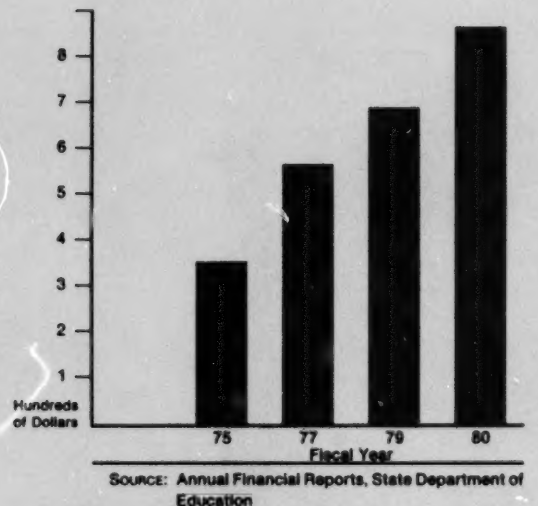
SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–5: State Totals of Expenditures on Special Education Transportation
(Huron Report, Chapter 6)



SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–6: State Totals of Special Education Students Transported
(Huron Report, Chapter 6)



SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–7: Special Education Transportation Costs Per Rider
(Huron Report, Chapter 5)

There has been a shift away from transporting special needs students spending 60% or less of their time out of regular education. Increasingly, these services are being provided within each school building rather than in some centralized location, and thus the number of students transported has reduced. At the same time, we are witnessing increased membership and associated transportation costs in the substantially separate, private day school and preschool programs and in transporting Department of Mental Health adults. Since these individuals are often transported over considerable distances, such as for out-of-town placements, the per rider costs associated with this can be substantial. Further, these costs can be quite high in non-urban areas where the distances to appropriate placements are far. In the case of Department of Mental Health adults, the arrangments often occur after school district transportation bids have gone out; the late arrangements drive up the cost further.

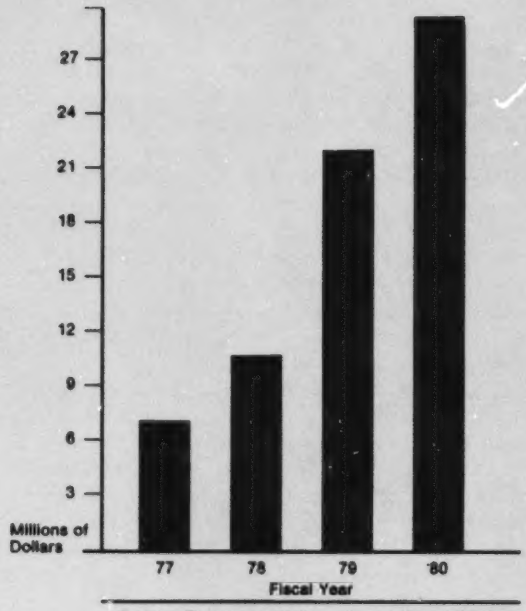
In terms of Fiscal Year 1980 statewide expenditures, the major components of special education transportation are, in decreasing order, substantially separate programs, private day school placements, transportation of Department of Mental Health adults,* and preschool programs. The costs associated with each of these have been increasing rapidly since Fiscal Year 1975: transportation costs for substantially separate programs have more than tripled; those for private day school placements have doubled; costs associated with transporting Department of Mental Health adults have increased sixfold; and for preschool program transportation there has been a fivefold increase. (Huron, Chapter 6)

Federal Aid

The two major sources of federal aid, Public Law 94–142 and Public Law 89–313, increased steadily over the period of Fiscal Years 1977 to 1980. Total federal aid for special education increased almost fivefold over this period (see Figure 4–8). On a per pupil basis, federal aid in Fiscal Year 1980 amounted to almost $200 per special education pupil (see Figure 4–9). In comparison, from a Fiscal Year 1978 per pupil level of $1,000, state aid to the Huron sample community declined in Fiscal Year 1979 to about $750, and then rose in fiscal year 80 to about $920 per pupil. Thus, to the extent one can generalize from the sample, federal aid constitutes about 20% of the total aid received by Massachusetts communities from outside sources in support of special education.

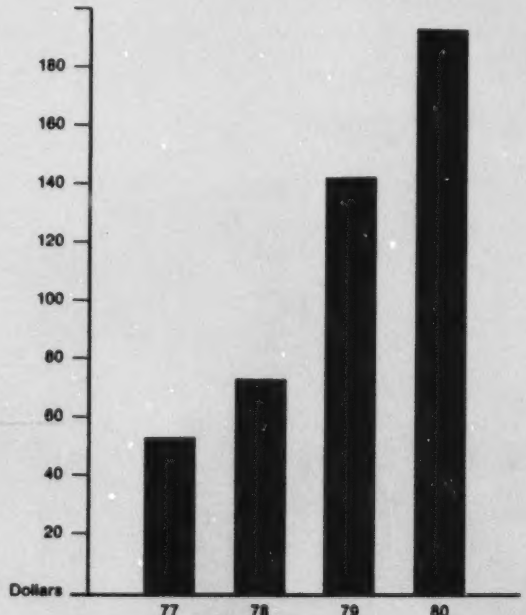
While federal special education revenues are relatively modest in comparison to state funds, they have an attractive flexibility about them. In Massachusetts, at least, since the federal response in 1979 to Massachusetts' request for a Public Law 94–142 waiver, federal funds constitute a flexible source of revenues that can be quite useful to school districts in helping either to meet previously unimplemented or poorly implemented aspects of Chapter 766, or simply to improve the general management of special education programs.

* Transportation of adults served by the Department of Mental Health is governed by Chapter 19 which is separate legislation from that governing transportation of students receiving special education.



SOURCE: Revenue data from Annual Fiscal Reports, Massachusetts Department of Education

FIGURE 4–8: Total Federal Aid to Massachusetts School Districts for Special Education
(Huron Report, Chapter 5)



SOURCE: Revenue data from Annual Fiscal Reports, Massachusetts Department of Education

FIGURE 4–9: Federal Aid to Special Education in Massachusetts School Districts on a Per Pupil Basis
(Huron Report, Chapter 5)

In Huron's field research, they found many examples of imaginative uses of federal funds. The most common use was the development of new programs for students previously unserved or underserved: early childhood programs, programs for students over 18, and alternative programs in high schools or middle schools. Other uses included development of a computerized information management system to maintain pupil records, hiring additional special education personnel, programs in staff development, and curricular efforts at redesigning existing programs. During the case study interviews, no local officials complained of limits on the use of Public Law 94–142 funds requiring that the federal money not replace local funds supporting specific programs in previous years.

The data fail to indicate any general effort to increase the number of children in low cost placements in order to increase federal aid, despite evidence to the contrary found by Huron in some school systems. It is true that expenditures for students enrolled in regular education programs with modifications (.1) increased by more than 50% from Fiscal Year 1977 to Fiscal Year 1980, but expenditures in that program type represent less than 20% of the combined expenditures of that program type and that of regular education with 25% or less time out (.1 and .2). And the Huron study noted that use of regular education programs with modifications was declining in Fiscal Year 1981.

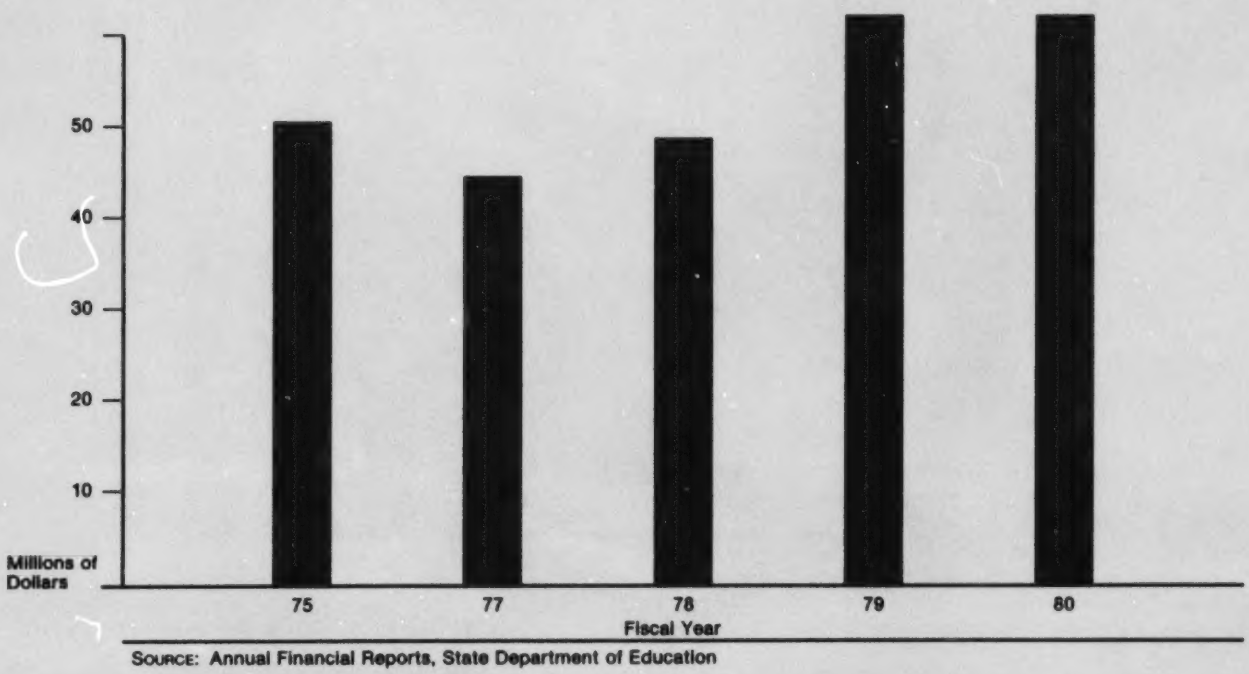
More to the point, expenditures for special needs students with 25% or less time out of regular education increased by only 10% from Fiscal Year 1977 to Fiscal Year 1980, the smallest increase in any of the major prototypes during that period when the impact of federal dollars was increasing considerably (see Figure 4–10). That increase in expenditures was much lower than the rate of inflation; in fact, at constant dollars it represented a decrease in expenditures in that program type of more than 15% for the period. Hence, the quantitative evidence for any general manipulation of the low cost prototypes is almost entirely negative. (Huron, Chapter 5, Chapter 6)

Trends in the Cost of Special Education

Findings from per pupil expenditure data suggest that the special education cost boom is over. The dramatic increase in special education expenditures from Fiscal Year 1973 to Fiscal Year 1977 brought with it a tremendous increase in the expenditure per pupil as well as the number of students served. After Fiscal Year 1977, however, the picture was somewhat different. While per pupil expenditures for special education increased, these increases were not out of proportion with increases in regular day programs. Some of the increase in per pupil expenditures on special education after Fiscal Year 1977 was clearly associated with delayed implementation of some provisions of 766 in some communities.

Unless a further round of service directives emerges from the state or federal government, we are unlikely to witness further dramatic increases in expenditures. The growth in expense that occurred from Fiscal Year 1977 to Fiscal Year 1980 seems to have been caused by two factors: the first and major factor was inflation, and the second, a modest increase in the number of children receiving special education services (see Chapter 5, Figure 5–4).

Per pupil expenditure data are useful because they take into account changing enrollment patterns which total ex-



SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–10: Total Instructional Expenditures (All Services) on .2 Prototype Services
(Regular Education Program with 25% or Less Time Out)
(Huron Report, Chapter 6)

penditure trends fail to do. While regular day school enrollments have been declining as part of the general decline in school age population, special education enrollments have increased. While total regular instructional expenditures have been constant, there has been an increase of about 10% per year in expenditures on a per pupil basis. Focusing on Fiscal Year 1978 and beyond, state average per pupil expenditures on special education increased only 7.5% per year between Fiscal Year 1978 and 1980 (see Figure 4–11). This was less than the rate of inflation as well as the annual percentage increases for regular day expenditures. (Huron, Chapter 6)

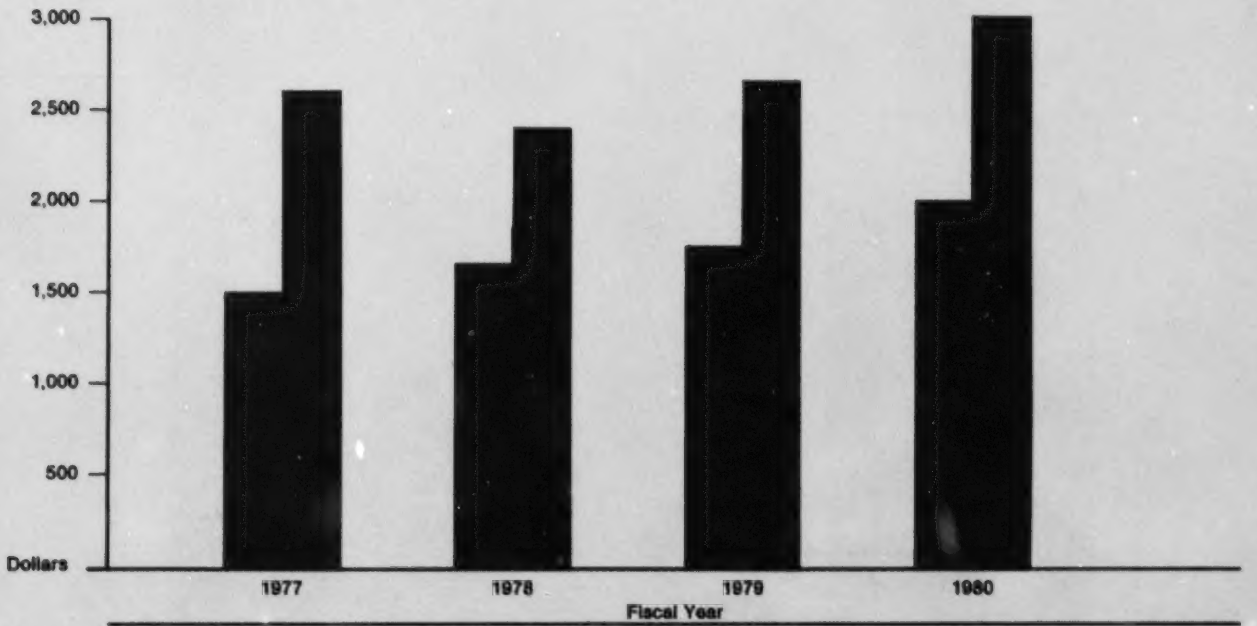
Expenditure Trends by Prototype

Analyzing instructional expenditure trends by prototype, the Huron study found evidence that the statewide recent growth in special education services in substantially separate placements (.4) appeared to be concentrated in urban communities. The analysis showed that non-urban communities in the Huron sample had disproportionate expenditures in programs for students with 60% or less time out. As for the urban communities, they had a disproportionate level of expenditures for substantially separate programs and private day school placements.

Special education services are provided through school-based instruction, tuition payments to other public schools, private placements, and collaborative arrangements among public schools. By far the largest part of special education services are provided by public school staff within each school district. The major exception is for private day and residential school placements, which are supported through tuition payments to private providers. Tuition payments also form a substantial portion of substantially separate and preschool programs. Collaborative payments often provide for the last two services.

Overall, special education expenditures by prototype were consistent with the general pattern of special education service delivery. There is evidence of substantial increases since Fiscal Year 1977 in substantially separate and private day school prototype services. In some of the other prototypes, such as regular education with modifications, regular education with 25% or less time out, and home and hospital programs (.1, .2, and .7), costs appeared to be stabilizing and even dropping in Fiscal Year 1980. Substantially separate, private day, and private residential programs (.4, .5, .6) however, displayed sharp increases in expenditures (see Figure 4–12).

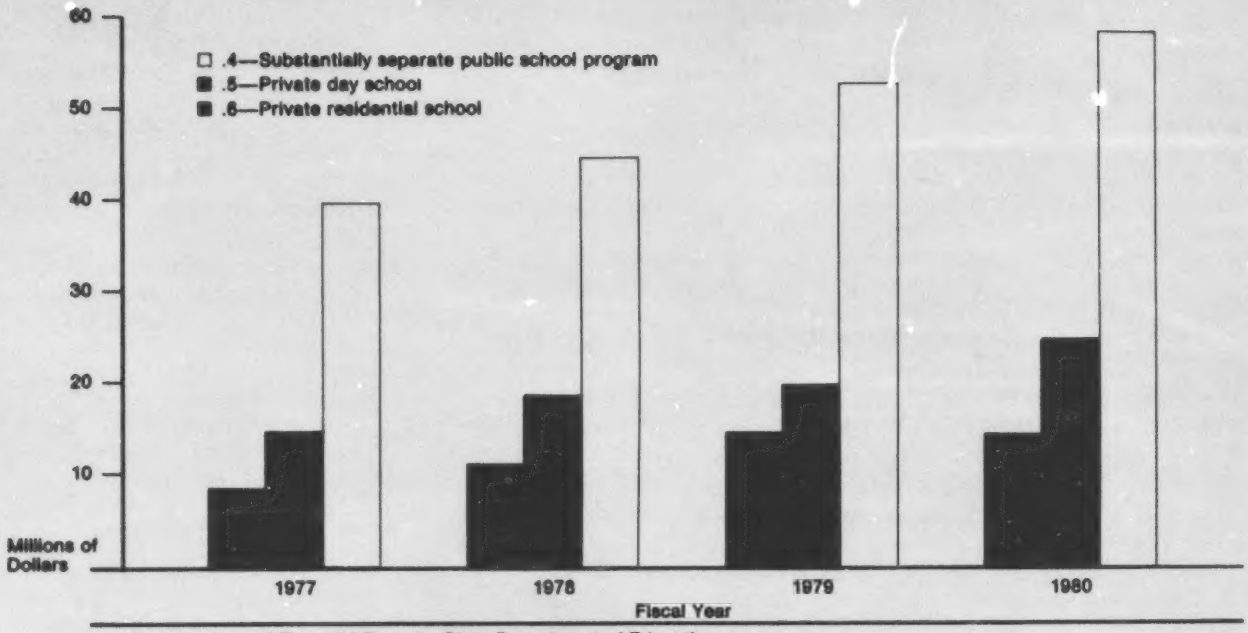
From Fiscal Year 1977 through Fiscal Year 1980, expenditures in the private day school prototype increased approximately 90%, in private residential schools by 60%, and in substantially separate programs by 50%. Over the same period, expenditures for tuition increased by 60% and for collaborative instruction by 150%, from a smaller base (about 20% of the expenditure for out-of-district placements.) (see Figures 4–13, 4–14). (Huron, Chapter 6)



SOURCE: "Per Pupil Expenditures," Booklet, Massachusetts Department of Education

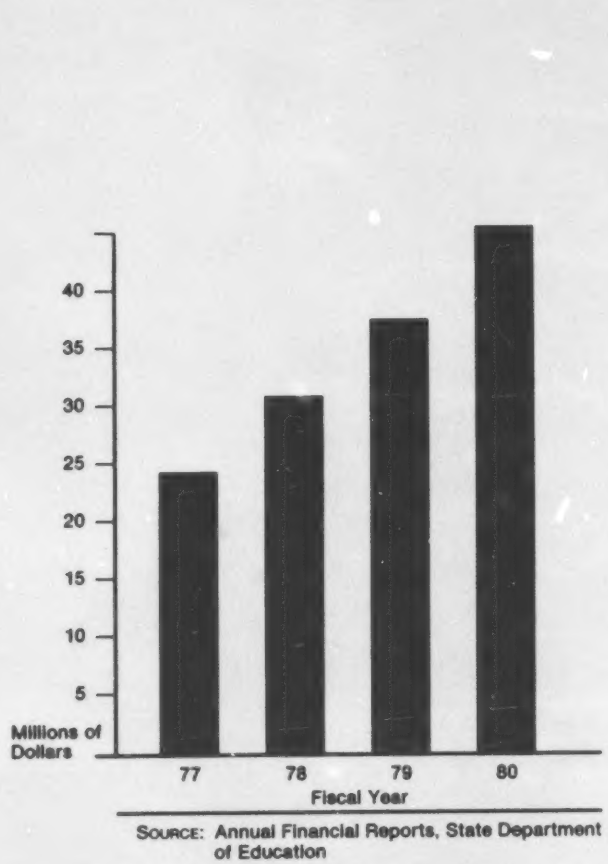
FIGURE 4–11: State Average Per Pupil Expenditures
(Huron Report, Chapter 5)

■ Special Education
■ Regular Education



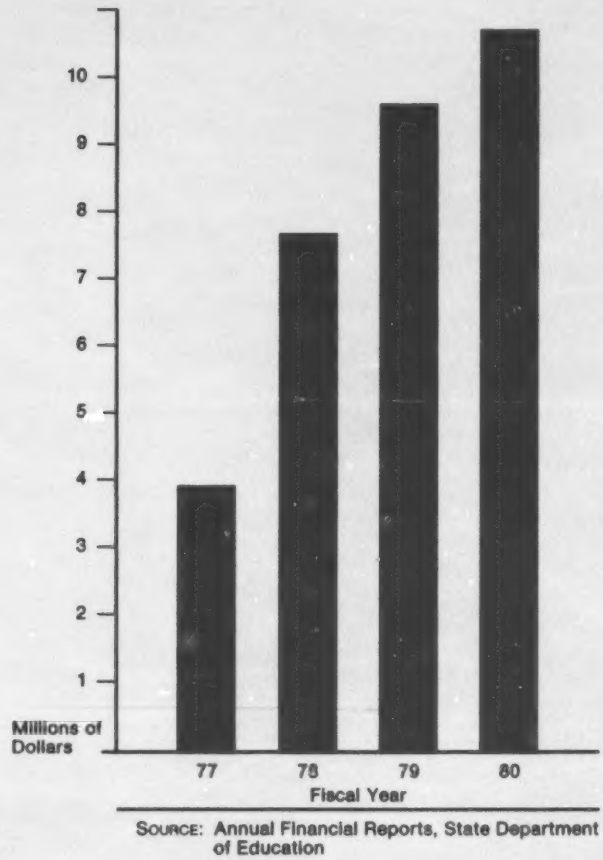
SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–12: Total Instructional Expenditures by Prototypes .4, .5, .6
(Huron Report, Chapter 6)



SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–13: State Totals for Tuition Expenditures for Special Education
(Huron Report, Chapter 6)



SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–14: State Totals for Payments to Collaboratives
(Huron Report, Chapter 6)

Cost Control

On the local level, all of the financial battles around special education focus on setting the budget. The concern in this process, however, is total expenditures, not net expenditures after state reimbursements. Cost control first affects the total school budget as it stands in competition with other municipal services. Battles over cost control also get played out internally in the school budget process (for example, regular day vs. special education) and again internally in the special education budget (for example, specialists for the resource room vs. tuition for private day placements). Nowhere in this process are net expenditures after state aid really considered or even discussed. (Huron, Chapter 5)

The Shift Toward Better Management

Since Fiscal Year 1977, emphasis at the local level has begun to shift towards better management of the special education system and a concern for addressing the more procedural aspects of the law. The ratio of special education supervision costs to regular day supervision costs is one indicator of comparative trends between these two activities. In Fiscal Year 1977, for every dollar spent on regular education supervision, 34 cents were spent on special education supervision. By Fiscal Year 1980, 49 cents were being spent in special education for every dollar spent on regular education, indicating a substantial increase in special education supervision expenditures.

For direct instructional expenditures, for every dollar spent on regular day activities approximately 13 cents were spent on special education. These cost ratios remained stable over the period, Fiscal Year 1977 to 1980, showing only modest increases in special education expenditures. Thus we see that for supervision, special education costs are rising faster than those of regular education, but for direct instruction, they are not.

These data suggest a two-stage theory for local implementation of Chapter 766. Prior to Fiscal Year 1977, there was a substantial growth in special education services within the public schools. During this first stage of implementing Chapter 766, heavy emphasis was placed on the creation of new services. Since Fiscal Year 1977, emphasis has shifted toward better management of the special education services already in place. (Huron, Chapter 6)

Instructional Expenditure Trends

After Fiscal Year 1977, the growth of public school-based instructional expenditures for special education was insignificant. Payments for out-of-district tuition and particularly for collaborative instruction continued to increase at a rapid rate, however.

Regular day instructional expenditures increased by 24% from Fiscal Year 1973 to 1977. From Fiscal Year 1977 to Fiscal Year 1980, total expenditures for regular day programs were relatively stable, increasing by less than 2%. Assuming an 8% a year inflation rate over that period, this meant a decline of about 24% in constant dollar expenditures on regular education.

Expenditures for special education from Fiscal Year 1973 to Fiscal Year 1977 rose dramatically. Total instructional expenditures for special education in Fiscal Year 1977 were more than three times that of Fiscal Year 1973. The Fiscal Year 1980 expenditures were approximately 25% higher than those of Fiscal Year 1977 (see Figure 4–15). Assuming an inflation rate of 8%, again, we see that even here there was no increase in constant dollar terms in special education instruction over the Fiscal Year 1977–Fiscal Year 1980 period.

If we look at the components of special education instruction expenditures, however, the trends have been different. From Fiscal Year 1973 through 1977, all components increased rapidly. After Fiscal Year 1977, however, the growth of public school-based instructional expenditures rose less quickly. Out-of-district payments, tuition and collaborative expenditures increased substantially, rising from 27.3 million dollars in Fiscal 1977 to 51.4 million dollars in Fiscal 1980. This was a change of 88% in just three years. If these figures are broken down further, they show an increase in collaborative payments of 150% (see Figure 4–14) and in tuition expenditures of 60% (Figure 4–13) from Fiscal Year 1977 through Fiscal Year 1980. It was those tuition expenditures that evoked the pressures to bring students back from private placements. (Huron, Chapter 6)

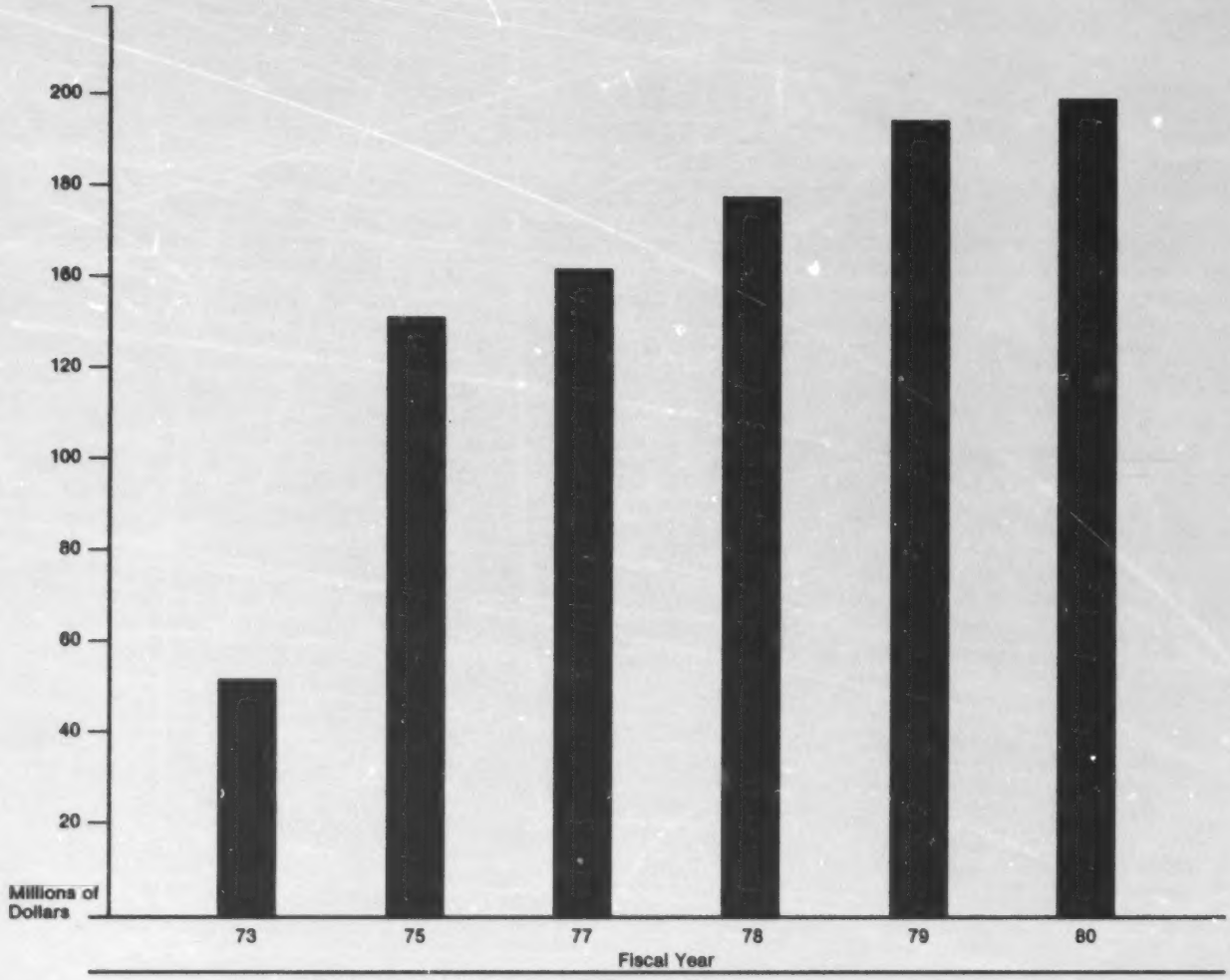
Private Day Programs

Huron data suggested that the movement to bring students back from private placements had produced only limited and localized results by the end of Fiscal Year 1980. This finding was confirmed by department data which showed a slow increase in the number of students in private day school programs through October 1981.

The Huron data also made clear some of the fiscal pressures fueling the movement to return students from private schools. The private day school prototype exhibited the fastest growth on a per pupil expenditure basis. Over the four-year period beginning in Fiscal Year 1977, costs for the prototype increased by about 55% to a state average in excess of $6,800 per pupil per year in Fiscal Year 1980. This increase in per pupil costs, combined with a 27% growth in net average membership in this prototype between Fiscal 1977 and Fiscal 1980, made it clear why the total instructional expenditures in this prototype had increased almost 90% in four years (See Figure 4–12). And the per pupil expenditures for private day placements in the Huron study sample of urban communities were considerably higher than those of the non-urban sample, because many students from those communities had more extensive needs and because higher cost facilities exist near large cities, especially in eastern Massachusetts.

As noted in the Chapter 6 overview, some issues are high visibility issues, widely reported as representing the "outrageous demands" placed on a community by Chapter 766. Expensive private placements when coupled with retroactive rate increases constitute this kind of explosive issue.

Huron noted that many local officials felt helpless when faced with Rate Setting Commission decisions concerning rates for private placements. Retroactive increases could



SOURCE: Annual Financial Reports, State Department of Education

FIGURE 4–15: State Totals for Combined Special Education Instructional Expenditures From All Sources
(Huron Report, Chapter 6)

prove costly for school committees which had budgeted earlier at much lower rates. Even though costs for similar adequate programs in public school facilities would be no less expensive, those costs could be anticipated and budgeted in advance.

Gallup also noted that some respondents considered the costs for residential and day placements to be the most negative result of Chapter 766. The only groups of educators, however, who cited private placement costs as the most negative result in significant numbers were superintendents (5%) and collaborative directors (8%). (Huron, Chapter 6, Chapter 14; Gallup, Chapter III, Appendix)

RECOMMENDATIONS

Introduction

We recommend that the Division of Special Education conduct an additional small study to analyze fiscal issues at the state level which have been raised, but could not be answered, in the course of this evaluation.

Reimbursement

The study staff recommends that Department of Education auditors be briefed on possible new post-Proposition 2½ incentives for non-save-harmless communities to manipulate inappropriate prototype placements and that the Director of the Bureau of External Audit inform the Director of the Bureau of Program Development and Evaluation of any evidence concerning such practices that his auditors may uncover.

State Aid

It is strongly recommended that the department and affected constituencies work to see that Chapter 70 ensures adequate funding of the real cost of special education.

First, significantly more local aid needs to be paid through the education formula of Chapter 70. To achieve this goal would require both increased local aid dollars and a commitment that the dollars be paid out through Chapter 70 rather than other local aid formulas.

Second, the Chapter 70 formula needs to be revised so that more communities receive aid through the formula rather than their save-harmless amount. Unless Chapter 70 is amended, there is no incentive to use the education formula to distribute local aid.

Third, Chapter 70 should be revised to ensure that state aid for education is earmarked for education at the local level. Such a change would bring together education expenditures and revenues.

Fourth, weights for individual prototypes should encourage less restrictive appropriate placements.

State Aid/Net Expenditures/Cost Control/Cost of Special Education

The study staff recommends that the department initiate a comprehensive information effort to assist school committees, superintendents, and special education administrators and to make the general public, local officials, and the legislature aware of data concerning the cost of education and the cost of special education.

Local school administrators should be provided the state aid data in understandable terms that will enable them to present budgets in terms of net local expenditures, as well as up-front costs. The department should print and distribute a clear explanation of the reimbursement formula, as well as the amount under each category available to each community.

The department should attempt to use public forums and press releases to inform the public that revenues raised through local taxes to support public education have been constant since Fiscal Year 1977 and that there has been a turnabout in support of public urban education since Fiscal Year 1979. It would also be useful to spread the word that the boom in special education costs is over.

Transportation

Given the degree of local resentment over special education transportation costs, the study staff recommends that the Department of Education take action. The local perception that the state mandates services but won't pay the tab seems to be of considerable validity in the area of transportation. In particular, transportation of preschoolers and of Department of Mental Health adults represents areas that many consider outside normal local school responsibilities; substantial transportation costs are associated with both. The Department of Education should make every effort to shift to the Department of Mental Health the functions of providing for and funding transportation of the adults that are within their jurisdiction.

A statute already exists (Chapter 367 of the Acts of 1978) that can help resolve the problem of insufficient reimbursement.* The legislature should fully fund the Bilingual and Special Education transportation provision in order that its actions become consistent with its intentions. The amount in question here (about 20 million dollars) is a very small portion of the total state aid for public education, which in Fiscal Year 1980 approached one billion dollars.

If the legislature does resolve this fiscal inequity, the department should develop some mechanisms for communicating this accomplishment both to local school districts and the general public. Given the way revenues are currently returned to cities and towns, the effect of state aid is not always fully acknowledged in the politics and decision making related to school expenditures and budgets. If the state does accept its responsibility to pay this tab, it ought to get credit for it.

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* Under the current statute, the transportation money goes to the Town Treasurer and the General Fund. Another approach would be for the Department to recommend a statute setting up a revolving fund to reimburse the school district for the cost of special education transportation.

CHAPTER FIVE: Special Education Services

OVERVIEW:

As a result of Chapter 766, a wider range of programs and services is available to almost every student with special education needs than ever before. Except for urban school systems, where the growth in special education services continues, special education programs in most school systems have grown more slowly since 1977–1978.* Most of the recent additions have been in substantially separate programs in larger school systems and in collaborative programs for all communities. Areas of particular growth since implementation of Chapter 766 in September 1974 include collaborative and public school facilities for students with profound handicaps, secondary school programs, programs for students with learning disabilities, and preschool programs. Majorities of all groups of educators surveyed by Gallup found Chapter 766 successful in terms of its main objective, the provision of appropriate services to students needing special education.

The type of students served and the type of special education services they receive have varied from time to time and from community to community. The Chapter 766 regulations set up procedures for determining special needs without defining them by clinical category or any other measure. This lack of definition has permitted school systems to respond flexibly to local needs. But it has also resulted in a sense of confusion in some school systems and in variations in services, due in part to differences in educational philosophies among communities and in part to availability of resources.

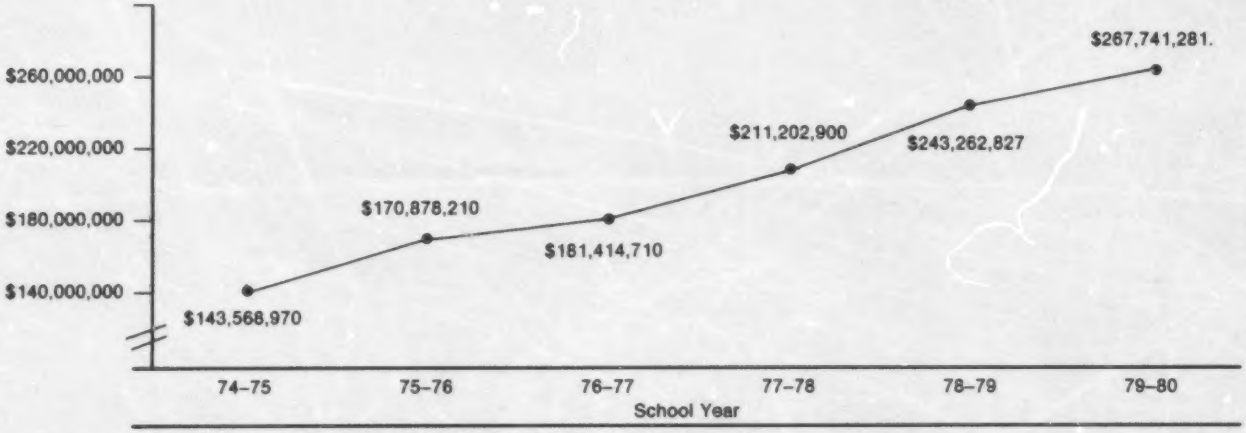
Although programs exist for almost all students needing special education, access to services is sometimes difficult. Access often requires an adult, usually a parent or a teacher, able and willing to negotiate with school staff. Behaviorally disruptive adolescents are still particularly hard to serve. Children whose parents have difficulties in dealing with school systems are still hard to reach.

The climate of fiscal constraint in education had not yet resulted in elimination of special education programs or services in any significant way at the time of the Huron site visits in 1981. Specific changes at that time included cutting back students' time in special education from the maximum to the minimum indicated by their prototypes,* introducing more children into programs without increasing staff, and considering students with mild disabilities as cured.

The climate had intensified criticism and resentment toward special education. Many special education directors felt pressured to control the rate of increase in special education by tightening referral criteria. And, especially in urban systems, services were being expanded in substantially separate programs, either to retain youngsters who would have dropped out or to move difficult-to-handle students out of regular classrooms. Most local educators believed that implementation of Proposition 2½ (the Massachusetts law limiting property taxes) would accelerate

* See Figure 5–1 for the growth in expenditures in special education from FY 1975 through FY 1980. Table 5–4 shows the total number of special education students served at various times of the year by various types of count. (RMC Report, Chapter 4)

* Throughout this chapter, prototype refers to the Massachusetts system of defining programs by the amount of special education services students receive and the place in which those services are delivered. See the glossary for further information.



SOURCE: Annual Fiscal Report, Massachusetts Department of Education

FIGURE 5–1: Total School System Expenditures on Special Education
(RMC Research Corp. Report, Chapter 4)

the pressures to reduce services and to move difficult students out of regular classes.

Most administrators seemed eager to return youngsters from private placements. While the evidence suggested vigorous efforts in preparation for such a move in many communities and negotiations between administrators and parents, the data showed little actual movement in that direction to date. If that movement picks up steam, the adequacy of public school programs may become an issue.

FINDINGS

Implementation History

The history of the implementation of Chapter 766 can be divided into two major periods: a period of rapid growth through Fiscal Year 1978, with emphasis on adding services and staff to fulfill requirements of the law, followed by a period of slackening growth (see Figure 5–1, Table 5–4). This latter period of cautious, careful management, from Fiscal Year 1978, was characterized by greater coordination of services, standardization of activities within a system, development of alternatives for little used programs, close liaison with transportation and business managers, and increased efforts to return students from private school placements to the school system or a collaborative. (Huron, Chapter 4)

Over the last five to six years, special education has been provided to increasing numbers and percentages of students at an increasing cost but with small increases in staff. Statewide totals for special education staff size show increases from 2.2% to 4.5% from 1975–76 to 1978–79, and a decrease in 1979–80. Totals for all program staff show a smaller increase in 1978–79 and a smaller decrease in 1979–80. Special education staff size as a percent of all programs' staff size remains fairly constant at 8% over the last three years. (Huron Chapter 4, RMC Summary)

Availability of Options

There are many more program options and related services available to students with special needs than at any earlier period, although there have been fewer additions made in most non-urban programs since Fiscal Year 1978. Facilities for students with profound handicaps, programs for students with learning disabilities, alternative programs for secondary school students, and preschool programs have seen particular growth. Improvement in the quality of services for students with profound handicaps has proved one of the most impressive results of Chapter 766. (see Table 6–6). Questioning of parents with children in special education program reveals very little dissatisfaction with the contents of the individualized programs (see Table 5–1). (Huron, Chapter 4; Gallup, Chapter IV)

Urban Growth

Using net average membership* data, the Huron study pointed out that special education services in urban communities continued to increase rapidly between 1977 and 1980. Although less than 15% of communities in the state are urban non-save-harmless, these increases affected many students because of the population size of the urban areas. The rate of increase was much lower for most non-urban communities. (Huron, Chapter 4)

*A system of weighting the number of students according to the time they spend in a particular program.

Table 5–1: Parent's Satisfaction With Their Children's Individualized Educational Programs
(Gallup, Chapter IV)

Agree or Disagree with Their Child's Individualized Educational Program	Special Education Parents	
	Grades K–6 %	Grades 7–12 %
Agree	95	89
Disagree	3	7
Don't Know	2	4
Total	100	100
Number of Interviews		

Recent Changes

At the time of the site visits by case studies staff, the approval of Proposition 2½ in November 1980 made local staff conscious of impending fiscal constraints which were already affecting special education in a variety of ways. Two should be noted at this point. First, students were starting to receive services in amounts closer to the minimum than the maximum time specified by their prototype. Second, especially in urban systems, services were being expanded at the secondary level in substantially separate programs, either to retain youngsters who would have dropped out or to move out of regular classrooms students who were traditionally difficult to handle. This trend can be seen as an effort to remove students who need a great deal of attention so that classes can be made larger in the regular education program. (Huron, Chapter 4)

Labels

Chapter 766 requires that educators avoid the use of labels, including clinical categories, which are considered to carry a stigma for students in special education. Although educators and parents do use categorical labels, there seems to have been a shift in the terms used. Some are purposely avoided: retarded, trainable, educable, emotionally disturbed. In their place have come less loaded terms: slow learners, developmental delays, behavioral or adjustment disorders. They, too, have the potential for abuse. In general, however, they mark heightened sensitivity to the power of labels and honest efforts to avoid their ill effects. (Huron, Chapter 4)

Ease of Integration

The younger child is more apt to be integrated into the activities of the regular education program, but there has also been a decided increase in the number of programs offered to secondary level special needs students. School

systems seem to deal more easily with some disabilities than others. Students with mild learning disabilities were integrated more readily into school activities than those with emotional, social, and/or behavioral disorders that make them appear very different from their peers. Students with impaired vision, as well as students with orthopedic handicaps, usually received services in resource rooms, but otherwise worked in the regular classroom, with the help of an aide.

In general, the group that appears different is far more likely to be removed from the mainstream of regular education. The older the student becomes, the greater the probability that he will be separated from his peers for special services and directed to lower level academic courses or alternative programs with an emphasis on occupational skills. At the secondary level, many youngsters with mild disabilities drop out of special education programs, either because they are functioning better or because they do not want to be separated from their peers. (Huron, Chapter 4)

Definition of Special Needs

The definition of special education and criteria for determining appropriate special education services are not specified clearly in the law or the regulations. They fluctuate considerably from community to community and from one period to another. Doing away with the clinical categories has provided flexibility for school systems to respond to local needs, resources, and conditions. However, the Huron study found that this lack of definition can lead to confusion in relating the needs of a student to an appropriate program or to inequity in provision of services from one school district to another. Significant majorities of all educator groups surveyed by Gallup are opposed to narrowing the focus of Chapter 766 (see Table 6–2), which a more specific definition might do. (Huron, Chapter 4; Gallup, Chapter II)

Variations in Placement

There is considerable variation across communities in the amount of service provided and in the students selected for special education services. The appropriateness of more or less restrictive placements is often at issue. Some* argue that a more restrictive environment means more specific and specialized services and that this outweighs the social advantages of integration in a less restrictive placement. This group includes those who argue, from different points of view, for substantially separate and for private school programs. Others take the position that specialized instruction and social integration complement one another and are both crucial to social development.

Collaboratives have the advantage of specialized personnel trained to deal with specific handicaps. They can usually provide services less expensively than a small school system. They have the continuity necessary to develop expertise in working with a given population. They permit school systems to provide a range of programs for low incidence handicaps. Generally, programs in collaboratives serve students within groups of similar disabilities. Collaborative students are unlikely to have much contact with ongoing activities of the school system.

Special education directors report that they are under serious pressures from school committees to bring students with learning disabilities back from private school placements whenever possible. These pressures have received extra impetus from Proposition 2½. Special education directors are being called upon by school committees and a concerned, outspoken public to justify the expense of individual out-of-district placements. There is criticism of all private school placements, but particularly those involving schools specializing in learning disabilities. If students are returned to appropriate public school placements from private schools, rather than to collaboratives, the programs may cost the school districts more than the private school placements have.

Data indicate that there has been an increase from 1978 to 1980 in the use of prototypes .3, .4, and .5 to place potential dropouts or difficult-to-handle students at the secondary level. (Prototype .3 means 26%–60% of student's time is spent outside of the regular education program; .4 refers to a substantially separate program; and .5 refers to a private day school placement.) The level of effort in those prototypes, in terms of net average membership for all students, has grown over 15% in the period, a far greater growth than that in any other prototype (see Tables 5–2 and 5–3). (Huron, Chapter 4: Gallup, Chapter IV)

TABLE 5–2: Level of Effort in Major Prototypes

(Derived from Annual Fiscal Report, Massachusetts Department of Education, FY 1980)

Prototype	*Description*	*% of Net Average Membership*
502.4	substantially separate program	36
502.2	25% or less of student's time spent out of regular education	21
502.3	60% or less of student's time spent out of regular education	16
502.5	private day school placement	11
Total		84

TABLE 5–3: Changes in Net Average Membership by Prototype, Fiscal Year 1978 to Fiscal Year 1980

(Derived from Annual Fiscal Reports, Massachusetts Department of Education)

Prototype	*Description*	*Change (rounded off)*
.1	special education received within regular education classroom	−11%
.2	25% or less of student's time spent out of regular education	+ 5%
.3	60% or less of student's time spent out of regular education	+16%
.4	substantially separate program	+17%
.5	private day school placement	+16%
.6	private residential placement	−12%
.7	services provided in home or hospital	−49%

* In the Gallup survey, less than 20% of each group of educators disagreed with the least restrictive environment concept. 90% of parents of students in special education believed that their children should be educated in regular education as much as possible. (Gallup, Chapter II)

TABLE 5–4: Total Number of Students Served in Special Education by School Year and Type of Count

(RMC, Chapter 4)

	Type of Count					
School Year	End of Year Headcount	Percent Change	October 1 Total	Percent Change	Division of Special Ed. Total Count	Percent Change
1974–75	128,880	—	81,314	—	—	
1975–76	146,427	13.6	98,566	21.2	—	
1976–77	147,285	0.6	83,154	−15.6	—	
1977–78	159,877	8.5	124,754	50.0	136,253	—
1978–79	159,740	−0.1	129,741	4.0	139,672	2.5
1979–80	160,617	0.5	133,792	3.1	140,815	0.8

In order to compare counts of special education students to system-wide enrollment, the average membership for all day programs from the End of Year Report should be used (augmented by the number of tuitioned-out pupils). If non-public school students should be included in this comparison, then the October 1 data should be used. The end of the year average membership did not vary in the same way from year to year as either of the special education student counts. RMC made another comparison by calculating the two special education counts as a percentage of the end-of-year average membership. The percentage served thus calculated varied from 10.8% in 1974–75 to 18% in 1977–78 using the end-of-year head count. Adding non-public school student counts to the denominator decreased the percentage served between 1 and 2 percentage points.

Related Services

There has been a dramatic increase in the number and type of related services and service personnel available to students in special education. These include speech and language therapists, physical therapists, occupational therapists, guidance counselors, family counselors, school psychologists, early childhood specialists, psychometrists, social workers, and nurses. There are additional services, outside the system, for which school systems contract, such as neurological assessments and psychiatric counseling. Whether the need for such services is educationally related and who should provide those services often becomes the focus of controversies between local school systems, parents, and other agencies. (Huron, Chapter 4)

RECOMMENDATIONS:

Recent Changes

Evidence suggests that budget pressures in some communities are reducing special services close to the minimum range within prototypes. The study staff recommends that the Division of Special Education monitor possible development of inappropriate programs on a system-wide basis. The Division should be prepared to negotiate with school systems and to institute class actions if necessary.

Definition of Special Needs

Although we recognize that special education needs are not defined clearly in the law or regulations, we recommend no tighter definitiion. The study staff suggests that the current limited flexibility is more useful than any attempt at definition beyond the current requirements of the regulations. In fact, most experts in special education believe that inadequate criteria exist for defining special needs. We do not accept the argument that failure to categorize or to define special education according to the type of services available, in itself, need lead to inequity or to charges inappropriate to special education. We believe that the regulation requirements for referral, evaluation, identification of needs, development of a plan and placement, properly applied, offer sufficient safeguards within a flexible framework, both for students needing special education and for school systems.

The staff does recommend that the division should improve the visibility and sensitivity of its capabilities for receiving information about and dealing with abuses of those requirements. We believe that the standards are inadequate to develop an acceptable definition for special needs without returning to the mislabeling and stigmatizing categories. We recognize that the debate over the need for a definition will and should continue. We believe, however, that an attempt to define special needs, especially in the current constrained educational and fiscal climate, would lead to more inequities, not less.

Ease of Integration

The study staff recommends that the Division of Special Education, in its interaction with local school systems and with higher education, as well as in setting training priorities and reviewing local training plans, emphasize the need to train regular education staff to deal with disabilities which they find hard to integrate, such as intellectual handicaps or social or behavioral disabilities. This training should deal with attitudinal and programatic difficulties, as well as time management skills. The division could provide help in this area by disseminating information concerning this issue and methods for dealing with it.

Variations in Placement/Recent Changes

The study staff recommends that the Division of Special Education, through its allocation of state incentive funds and federal discretionary funds, as well as technical assistance, continue to encourage development of appropriate local and collaborative programs bringing students back from institutional and private school programs. Through its regional staff, however, it should monitor programs developed to bring home out-of-district placements to make sure that they prove appropriate. This monitoring is particularly necessary for newly created urban .4 and .4i options. (Prototype .4 refers to a public school, substantially separate program; .4i indicates that such a program takes place in a facility other than a public school regular education building.) We recommend that this be made a specific priority of the division. What we suggest would go beyond current monitoring efforts by identifying specific programs that the division should review and judge their appropriateness in a qualitative sense.

CHAPTER 6: The Interface with Regular Education

OVERVIEW:

This overview deals primarily with a theme pervading all of the findings in Chapter Six as well as those in Chapter Seven dealing with state/local relations. Simply stated, the theme is that, despite overwhelming support for the concepts reflected in Chapter 766, illustrated in responses to the Gallup survey, special education has become a scapegoat for the frustration of many educators. Local staff are genuinely concerned about paperwork and costs of Chapter 766, as reported in the findings of this chapter. Very often, however, paperwork or cost serves as shorthand for much deeper resentment. This theme is fully developed in Chapter 8 of the Huron report, and also appears in Chapters 7 and 14 of their study. Gallup furnishes some confirmation in comments found in the Gallup appendix.

We present this theme in the overview rather than the findings in order to give it the explication and emphasis it deserves. There are serious implications for Chapter 766 in what the findings say about the gap between the considerable accomplishments resulting from Chapter 766 and the attitudes of many of those concerned with education at the local level.

In relation to its major objectives, Chapter 766 has been an outstanding success without taking significant amounts of unreimbursed local tax funds away from regular education in recent years.* Chapter 766 has resulted in a whole new set of programs targeted to students with delays in development, students with learning disabilities, and students with behavior disorders, areas that were not the traditional focus of special education. Staff and parents report that the new programs have improved the achievement levels of those students. Improvements in how those youngsters function have also benefited the regular education teachers who must deal with them. For students with substantial handicaps, the improvement in the quality of services and facilities has been noteworthy.

State reimbursement and flow through of federal funds to local school systems have meant that development of programs mandated by Chapter 766 has had little net impact on the funding of regular education through the local property tax since the revision of the state aid to education formula in 1978. In fact, since 1977–1978, local expenditures for special education have barely kept pace with inflation in most communities.

Yet, school staff, parents, and school committee members in communities across Massachusetts argue that disproportionate amounts of local resources have been allocated to services for students with special needs. There are three possible explanations of the complaints expressed about Chapter 766, all of which suggest that some aspects of special education have become a lightning rod for focusing the frustrations of educators. All three explanations reinforce one another. The first explanation recognizes the degree to which public school education generally is under attack. The second sees Chapter 766 as an intrusion on local control of education. The third emphasizes the insecurity of regular education staff as a result of Proposition 2½ (a recent Massachusetts law limiting the property tax rate).

The public schools have seen themselves as being under attack in several ways. Since the early 1970s, public education has been retrenching because of a general decline in enrollments. Buildings have been closed, students transported from their neighborhoods, and nontenured faculty let go. The general public has also expressed dissatisfaction with what the public schools have produced, blaming the schools for everything from declining test scores to the behavior of young people. This withdrawal of confidence has affected the morale of public school staff. More recently, a decade of inflation has led taxpayers to resist funding of public services, including schools, especially through local property taxes.

Chapter 766 has caused significant change in how school staff organizes its work. The focus on individual programs, the need to consult parents and students in developing those programs, the scheduling demands, and the accountability required—all of these affect how schools, especially secondary schools, conduct their business. Some local educators have perceived the request for these changes as an intrusion that violates the tradition of local control of education in Massachusetts. In fact, the intrusion has gone well beyond simply requesting local changes. In the program audit, in the appeals system, and in court cases, the Department of Education has monitored and enforced the requirement of Chapter 766 that makes local school systems accountable for providing special education to their children who need it.

Finally, Proposition 2½ has made many regular education staff members feel insecure and resentful concerning the perceived job security of their counterparts in special education. The regular education staff sees its jobs threatened and classes overcrowded, while the state mandates of Chapter 766 seem to insure continuing employment and specific standards in special education.

The principal targets of the dissatisfaction expressed toward Chapter 766 are the paperwork and time required and a few cases involving extremely expensive placements or services. Simply put, the loudest complaints concerning paperwork come from those least affected by paperwork

* See Chapter Four for the findings on which the statements concerning finances in this section are based. For more detailed information on financial issues, see Huron Chapters 5 and 6.

requirements. Although special education directors and instructional staff bear heavy paperwork and procedural responsibility and complain about them, they accept Chapter 766 paperwork more readily than regular education staff members because they use the plans and assessments to monitor the progress of their students.

In most communities, people point to one or a few cases, which have consumed much staff time and attracted much public attention, as representing the "outrageous demands" placed on the community by Chapter 766. Although the cases cited are often expensive on an individual basis, they usually represent a very small proportion of the total school budget. Because of the high negative publicity associated with these cases, however, it is important that the Division of Special Education help local school systems deal with these situations.

FINDINGS:

Paperwork

Although local school system staff at all levels complain about the paperwork burdens of Chapter 766, in many cases these complaints exaggerate reality.

- Elementary level regular education teachers seldom have more than three children receiving special education. Teachers have learned to use and streamline the procedures so that the paperwork now takes relatively little time. Removal of their most challenging students for provision of special education services is usually a welcome benefit that helps to compensate for the paperwork involved.
- Secondary level regular education teachers usually prepare very brief assessments for eight to fifteen students receiving special education. They welcome the additional instruction provided by special education in areas where students are having difficulties. Since minimally handicapped students at the secondary level are not removed from a teacher's regular program to receive special education, regular education staff see little direct advantage to themselves in the paperwork and procedures of Chapter 766 that deal with those youngsters. Some regular education teachers at the secondary level, however, do see Chapter 766 as a route for removing disruptive students from their classes.
- The group of principals most involved in carrying out the requirements of Chapter 766 are elementary school principals. Their greatest problem with the procedures is finding time to attend the many meetings required by Chapter 766 regulations.
- Secondary school principals usually delegate responsibility for students with mild disabilities to others. Still, the urgency of administrative chores and what they regard as larger social problems (e.g. discipline, drugs) make many of them resent even the limited time they must spend on special education.
- Special education staff responsible for coordinating procedures represent the official local response to the requirements of Chapter 766 for notifying parents and school personnel, seeing that assessments are carried out, completing forms, and coordinating schedules. Communities that cannot afford a separate process person must stretch an existing special education role to include coordination. It is on those positions that the heaviest procedural load imposed by Chapter 766 falls.
- Special education instructional staff bear heavy paperwork and procedural responsibilities. They find the paperwork demands of Chapter 766 more acceptable than their counterparts in regular education, because they often use the documents developed, such as plans and assessments, to guide their work, to monitor student progress, and to tap additional resources. (Huron, Chapter 7)

Organization of Regular Education

In 1974, many teachers and administrators feared that Chapter 766 would result in placement in regular classrooms of many students who would be generally hard to deal with. This has not happened. Students with profound handicaps have moved out of substandard facilities. The quality of their services and facilities has improved significantly. But they have rarely been integrated into instructional settings.

What has happened has been remarkable. A new set of programs has been developed for students with problems due to developmental delays, students with learning disabilities, and students with behavior disorders, who were educated in regular classrooms prior to Chapter 766. New preschool and secondary level programs have also been developed. Regular education teachers benefited from these programs, which permit students to function better in regular classrooms.

- Personnel at every level, however, complained about the scheduling requirements of Chapter 766—both for staff attending meetings and for students receiving special education services. On the other hand, especially at the elementary level, teachers have learned to use the times when some of their students are receiving special education to advantage.
- Many students with profound handicaps now in substantially separate placements were formerly in programs outside the school system. Interaction between them and other students is usually minimal. Such integration is helped if teachers can accept and deal with the student's disability and if an aide is available.
- Many regular teachers make limited attempts to modify instructional practices for handicapped students. Given another adult who can provide support, such as an aide or even a consistent volunteer, they are more willing to make such adaptations.
- The 502.1 prototype (in which students receive special education without leaving the regular education classroom) usually serves as a monitoring placement for students who have been in special education in the past, so that the school can make help for them available quickly if it becomes necessary again.
- The sensitivity of many regular education teachers to the needs of handicapped students has increased. In every system, some teachers are more willing to acknowledge special needs and to request help in meeting

them, and school systems have developed the capacity to respond.

- Preschool and elementary school teachers are particularly successful in trying different materials and teaching strategies to individualize instruction. At every level, some recognize individual differences in ability, interests, and learning style and try to be responsive to the differences. (Huron, Chapters 7, 8)

Inservice Training

Inservice training at the building level in response to specific requests of the staff seems to have worked well. Many teachers find district-level inservice training, which often deals with procedural issues related to Chapter 766, of only limited use. (Huron, Chapter 8)

Boundary Crossers

The distinction between regular education and special education is still sharp in most communities. Special education staff have been assigned in most areas to bridge the gap, to cross the boundaries between special and regular education. These boundary crossers are the consultants, evaluation chairpersons, resource room specialists, and others who coordinate programs for individual children, give practical assistance to classroom teachers, and serve as intermediaries between special education administration and the classroom teacher or between parents and teachers. Successful boundary crossers make themselves easily accessible to regular staff and try to anticipate needs without imposing unnecessary additional tasks. (Huron, Chapter 8).

Regular Staff Attitudes

Many regular education staff members saw Chapter 766 as an outstanding success and expressed appreciation for the supplementary services provided by special education. Others, although accepting the idea that students with special needs should receive special services, complained that emotionally disabled or behaviorally difficult students were malingering and did not need special education. Many of this second group appeared to be resentful of the perceived job security that Chapter 766 gave special education staff.

However, in general, regular education staff strongly supported the concepts of Chapter 766 (see Tables 6-1 through 6-5); 84% of principals and 86% of regular education teachers surveyed by Gallup believed that the quality of special education was better than it had been ten years before, and only 3% and 5% respectively of those groups believed that the quality had declined. (see Table 6-6). (Huron, Chapter 8; Gallup, Chapter II and Chapter III).

RECOMMENDATIONS

Paperwork

The study staff recommends that:

- the Division of Special Education discuss with regional office staff and local school systems ways to reduce paperwork and procedural requirements, particularly in dealing with minimal disabilities;

- the Department of Education encourage use of a pre-referral process at the secondary level in which services can be made available on an informal basis to students who otherwise would refuse special education services;

- as part of an ongoing process, when the revised Chapter 766 regulations have been in effect for one year, the Division of Special Education should examine once again the procedural requirements for 502.1 and 502.2 prototypes to determine what further meeting and paperwork requirements can be reduced, while remaining within the spirit of Chapter 766 and conforming to Public Law 94-142.

Organization

Given the importance of aides and volunteers in facilitating the integration of handicapped students into the regular classroom, the study staff recommends that the department encourage school systems to work with parent groups at various levels to increase the pool of volunteers for this purpose.

The study staff recommends also that the Division of Special Education, as part of its promising practices program, inform local school systems about computerized programs that help systems keep track of special education procedural and program requirements, even in small rural communities.

TABLE 6-1: Right to a Public Education

(Gallup Report, Chapter IV)

Handicapped Children Have as Much a Right to a Public School Education as Any Other Child	*Superintendents*	*Principals*	*Special Education Directors*	*School Committee Chairpersons*	*Special Education Teachers*	*Regular Education Teachers*	*Collaboratives*	*Private Schools*
Agree Strongly	86	81	91	70	80	70	92	89
Agree Somewhat	12	15	7	24	17	24	4	6
Disagree Somewhat	—	4	*	3	1	4	—	2
Disagree Strongly	1	*	*	1	1	1	4	4
No Opinion	1	*	1	1	1	1	—	—
Total	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(26)	(89)

*Less than one half of one percent.

Table 6–2: Should Chapter 766 Be Narrowed?

(Gallup Report, Chapter II)

Chapter 766 Would be Better If It Focused Only on Some Students Needing Special Education	Superintendents %	Principals %	Special Education Directors %	School Committee Chairpersons %	Special Education Teachers %	Regular Education Teachers %	Collaboratives %	Approved Private Schools %	Regular Education Parents Grades K–6 %	Regular Education Parents Grades 7–12 %	Special Education Parents Grades K–6 %	Special Education Parents Grades 7–12 %
Agree Strongly	7	12	5	9	8	12	4	5	7	7	3	7
Agree Somewhat	23	19	25	21	14	19	19	12	21	20	21	19
Disagree Somewhat	22	22	11	22	14	21	11	5	47	43	43	44
Disagree Strongly	46	43	56	43	62	43	58	78	13	10	21	17
Don't Know	2	4	3	5	2	5	8	1	12	20	13	13
Total	100	100	100	100	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(26)	(89)	(218)	(192)	(214)	(213)

Inservice Training

The study staff recommends that the division, in setting training priorities, reviewing local training plans, providing regional technical assistance minigrants, and providing support for the Commonwealth Institute, consider the greater usefulness of training efforts at the building level in response to teacher requests and encourage districts to decrease district-wide inservice workshops dealing with procedural issues related to Chapter 766.

Boundary Crossers

The study staff recommends that the department encourage schools of education, in their courses on administration and special education, to stress the importance of staff who coordinate between regular education and special education, the "boundary crossers." We also recommend that the division encourage exchanges of information between school administrators who have successful boundary crossers and others who have this need, as identified by division monitoring.

Overview

To deal with the negative publicity related to a few cases, the study staff recommends that the department encourage local superintendents to report to the Associate Commissioner, Division of Special Education, any individual case that is generating, or may generate, unusual cost

Table 6–3: Educator Attitudes Regarding Mainstreaming

(Gallup Report, Chapter II)

To the Maximum Extent Appropriate:	Superintendents %	Principals %	Special Education Directors %	School Committee Chairpersons %	Special Education Teachers %	Regular Education Teachers %	Collaboratives %	Approved Private Schools %
Elementary School Students in Special Education Should be Educated with Regular Education Students								
Agree Strongly	78	72	85	63	67	46	88	58
Agree Somewhat	19	18	12	25	25	33	12	29
Disagree Somewhat	—	5	1	6	5	11	—	10
Disagree Strongly	—	1	—	4	2	5	—	1
No Opinion	3	4	2	2	1	5	—	2
Total	100	100	100	100	100	100	100	100
High School Students in Special Education Should be Educated with Regular Education Students								
Agree Strongly	72	65	82	59	59	38	85	53
Agree Somewhat	24	18	15	27	29	31	15	31
Disagree Somewhat	2	6	1	7	7	14	—	7
Disagree Strongly	—	2	1	5	1	5	—	3
No Opinion	2	9	1	2	3	12	—	6
Total	100	100	100	100	100	100	100	100

TABLE 6–4: Public Attitudes Regarding Mainstreaming

(Gallup Report, Chapter II)

Attitude Toward How Special Needs Students Should be Educated	Regular Education Parents Grades K–6 %	Regular Education Parents Grades 7–12 %	General Public Nonparents %
Go to Special Schools Only When Necessary	81	82	72
Should Have Own Special School	8	9	19
Don't Know	11	9	9
Total	100	100	100
Number of Interviews	(218)	(192)	(206)

or adverse publicity. We recommend that the division maintain constant followup on such cases and take positive action, including public statements and technical assistance, to counter negative publicity. We also recommend that the division set aside Public Law 94–142 discretionary funds which it can use to help small school systems cope with individual cases whose costs exceed a certain percentage of the school budget.

TABLE 6–5: Attitudes Toward Parent Participation

(Gallup Report, Chapter II)

Effect of Parent Involvement in the Education of Special Needs Students	Superintendents %	Principals %	Special Education Directors %	School Committee Chairpersons %	Special Education Teachers %	Regular Education Teachers %	Collaboratives %	Approved Private Schools %
Results in Better Education	69	66	70	57	70	55	85	78
Results in Poor Quality Education	2	2	1	2	2	4	—	2
Has Little or No Impact	25	27	25	25	20	24	4	12
Don't Know	4	5	4	16	7	17	11	8
Total	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(26)	(89)

TABLE 6–6: Quality of Special Education

(Gallup Report, Chapter III)

Quality of Special Education Today vs. 10 Years Ago, Before Chapter 766	Superintendents %	Principals %	Special Education Directors %	School Committee Chairpersons %	Special Education Teachers %	Regular Education Teachers %	Collaboratives %	Approved Private Schools %
A Great Deal Better Today	72	60	78	65	63	51	77	65
Somewhat Better Today	18	24	15	21	18	25	15	21
About the Same Today	5	10	3	7	6	8	—	7
Somewhat Poorer Today	—	2	*	2	3	4	—	2
A Great Deal Poorer Today	—	1	—	*	*	1	—	—
Don't Know	5	3	4	5	10	11	8	5
Total	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(26)	(89)

* Less than one half of one percent.

CHAPTER 7: State/Local Relations

OVERVIEW:

At first glance, many of our findings would seem to suggest that local school systems claim credit for anything they perceive as "good" that comes from the state* (funds to initiate new programs) and blame the state education agency for all that is "bad" (paperwork, regulations). That, of course, is an oversimplification. There is, however, a deep-seated local resentment of the features of Chapter 766 that represent state intrusion into local affairs.

This is seen most sharply in school system hostility toward the appeals process. This process reaches, deeper even than the program audit, into how school systems are organized and how they conduct their business. Because hearing officers' decisions in appeals have the effect of law, local school systems cannot ignore them. The primary theme of state/local relations under Chapter 766 is local resentment of the involvement of a state agency, the Department of Education, in the affairs of school districts accustomed to local control of education.

FINDINGS:

Monitoring

The monitoring process may be more important than the product. The monitoring procedure itself, as an intervention by the state into local practice, ultimately effects more change than the resultant reports.

Special education administrators in several locations visited by Huron reported that the state monitoring activities were useful to them and, indeed, led to significant changes in local practice. The Huron Institute study points out that most local administrators claim that they dislike the program audit process, but will try to use it to their advantage as long as it exists. Vasquez-Nuttall data show that compliance with Chapter 766 has improved and suggest that department monitoring may be the cause (see Figure 7–1). The monitoring process and the documents which result have been viewed by special education directors as means of gaining the attention of school district executives and school committees at a time when competing demands and dwindling resources make it increasingly hard for all local voices to be heard.

In effect, then, the state's compliance activities may be said to serve an advocacy role for special education administrators who use monitoring reports to say to others in the community, "We *have* to make these changes—the monitors say we're out of compliance."

Quite understandably, the monitoring process often caused considerable stress and anxiety as well as extensive time commitments in the school districts under review. Local people often felt that some of the many criteria for evaluation were not relevant to their programs—or were not as important as others—but saw the state staff as treating them all as equally essential. Some local officials believed that the state was intervening through compliance monitoring with the intent of proving the school district had been recalcitrant in implementation and unfair in its treatment of students. Huron found that most local administrators saw the program audit as a state process and made no mention of its peer evaluation aspects. General resentment of the state's role detracted from what local officials saw as helpful results of the process. (Huron, Chapter 14; Vasquez-Nuttall, Chapter VI).

The Department Mandate

Historically, the Massachusetts Department of Education has fit into the general pattern of weak state government in the Commonwealth. The state's administrative

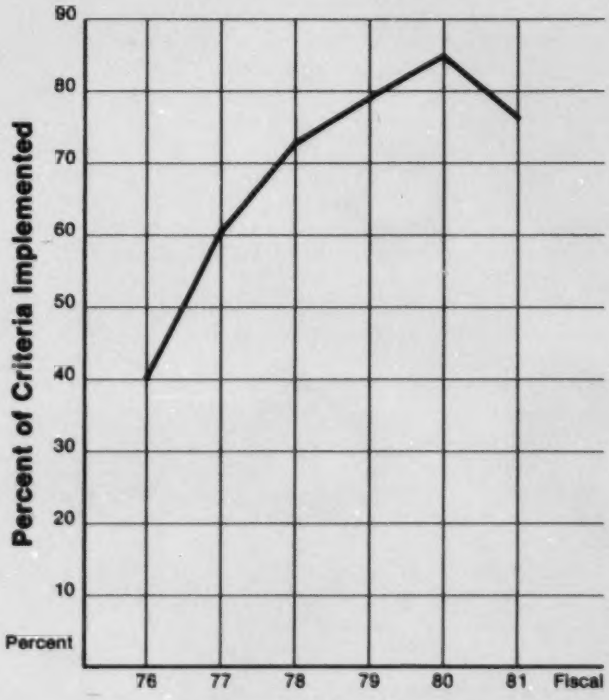


FIGURE 7–1: Percent of Compliance Criteria Implemented
(Vasquez-Nuttall Report, Chapter VI)

*The Huron study noted that people in school districts have dealings with and perceptions of a whole range of units of state government, even though they often talk of "the state" as a monolithic structure. While the legislature sets appropriation levels, local views on funding for Chapter 766 indict "the state" more generally and influence local relations with the state department of education. (Huron, Chapter 14; Gallup, Appendix)

agencies have often been characterized as weak bureaucracies, having little professional policy orientation and lacking strong central direction. Traditionally, they have not intervened in local affairs. Instead, a cherished tradition of local authority has dominated politics in Massachusetts, especially in education. The sanctity of local school control in the Commonwealth has traditionally limited the role of the Department of Education, by serving to discourage strong state leadership in education.

Chapter 766, however, brought with it the requirement that the Department of Education change its relationships with the local school districts in several significant and far-reaching respects. The law itself was explicit about the expanded role of the department and the increased interagency cooperation intended. To accommodate such an expanded role, the Division of Special Education within the Department of Education was greatly enlarged. The division's budget more than doubled between 1973 and 1974, and new staff were hired, in an attempt to assist the division in taking an active leadership. The number of special education staff in the six education regional offices was expanded and given increased visibility. In a variety of ways, the Massachusetts Department of Education responded to Chapter 766 by becoming more activist and by exerting a new level of leadership in special education.

Criticism of the Chapter 766 mandate, either for its overly broad sweep or for its fuzzy intent, was widespread in the school districts Huron studied. One might expect that over time those concerns would lessen, as state regulations and guidelines changed in response to local concerns and as local school systems learned how to implement the law. And, of course, this has occurred to some extent. Communities have determined what Chapter 766 means for them, by emphasizing some aspects of implementation and de-emphasizing others.

But many local educators believed that they had received inadequate guidance from the state and had been left to work out the intent of the mandate on their own. Some expressed disappointment over the lack of Department of Education leadership.* But some local administrators, especially those in small towns in western and central Massachusetts, found the regional offices of the department very helpful.

Some local educators told the Huron staff they thought the mandate had been too broad and sweeping. In the eyes of some educators, the definition of special needs has expanded too much under Chapter 766, so that they believe it is standard practice in some districts to include in special education students only slightly behind grade level academically or exhibiting moderate classroom behavior maladjustments. Such concerns over the expanded scope of special services seemed particularly strong in suburbs and small towns. The communities in which such concerns were expressed were often communities reporting a low incidence of more severe handicaps. Majorities of between 75% and 83% of educators in each group surveyed by Gallup, however, disagreed with the notion that the focus of chapter 766 should be narrowed (see Table 6-2).**

At least some local people felt that requiring such sweeping changes for all the cities and towns in the state in response to the documented failures of a few communities overstepped the state's appropriate role. Many people accepted the argument that, without a strong state stance, the rights of students with special needs might never have been recognized in some communities. But they felt that that argument applied to *other* school districts, especially those that clearly were violating students' rights or had histories of poor or non-existing special services.

Huron found that many communities reported that they didn't really need Chapter 766—since they were already doing most of what the law required prior to the passage of Chapter 766, or were already planning to make changes regardless of a state mandate. In most of these school districts, further investigation uncovered a wide gap between pre-766 practices (or even pre-766 plans for reform) and the changes required by the law.

But if local realities did not always match local memories, such reports were nonetheless significant because of the implications for state/local relations. In communities where people reported they "were doing all this anyway," Chapter 766 was viewed as applying primarily to other school districts. School personnel resent having to conform to regulations that they perceive as designed for other, more recalcitrant school districts. This resentment exists even though enforcement of the law has moved *all* local school districts toward a more effective service delivery posture. (Huron, Chapter 14; Gallup, Chapter II)

Appeals

Overall, the data from the Bureau of Special Education Appeals seem to support the contention that the appeals process results in about equal numbers of hearing decisions made in favor of parents and the schools. Of the hearings conducted from 1977 through 1980, 47% were resolved in favor of the parents, while 52% were resolved in favor of the schools. This pattern suggests a very balanced picture of outcomes.

Administrators, however, repeatedly complained about what they considered to be a bias in favor of parents that was built into the appeals process. In the minds of many administrators, an adversarial relationship between the state education agency and school districts is built into the law generally, but emerges especially in the appeals process.

*Much of the criticism related to issues such as long-range planning and the consistency and continuity of signals sent by the department. In some cases, local officials mentioned earlier problems as if they were current. For example, they cited constant changes in state reporting formats and required paperwork under Chapter 766. Yet, other educators commended the department for improving the format of individualized educational plans.

**Over half of the educators surveyed by Gallup believe that some students' problems should not be the responsibility of the public school—profound handicaps and emotional or psychological problems in particular. Nonetheless, educators, like parents, would not favor narrowing the scope of the legislation. More than three in five respondents disagree that Chapter 766 would be better if it focused on only some students needing special education. Therefore, despite its problems, Chapter 766 is generally viewed favorably by most parents, education professionals, and members of the general public in Massachusetts. Most do not feel the needs of students could be better served by a less comprehensive law.

The opinions of these administrators may be influenced by another interpretation of the data. Of the 47% of the cases with recorded hearing decisions that were resolved in favor of the parents, 45% were listed as being resolved in accordance with the original request of the parents, with another 2% resolved in favor of the parents "as modified."

On the other hand, of the 52% that went in favor of the school, 30% of the cases were resolved in favor of the school's position as originally stated, with another 22% resolved in favor of the schools "as modified." In fact, then, it could be argued that school districts achieved their desired outcomes in only 30% of the appeals cases, while parents achieved theirs in 45% of the cases. And if school administrators perceive decisions for the "schools as modified" as in some way favoring the parents, then it's possible that some administrators see the parents as being the winners in as many as 67% of the hearing appeals.

There are other reasons as well why school administrators do not like the appeals process. Involvement in hearings and court cases is very expensive for school districts and especially taxing for small districts that do not have legal departments or attorneys readily available.

It was generally agreed by administrators that involvement in the appeals process was a no-win situation for school districts. "Even if you win, you lose," one special education director remarked in explaining why his district had worked so hard (through informal negotiation) to avoid becoming entangled in the appeals process.

It is a goal of the Department of Education to resolve conflicts prior to the hearing stage of the appeals process. The Bureau of Special Education Appeals has succeeded in keeping cases out of the costly and lengthy hearing process. The fact that over 60% of the recorded closed cases were either withdrawn or resolved through mediation from 1977 through 1980 is viewed as an indicator of the success of the process. (Huron, Chapter 14; Woods, Summary).

Interagency Cooperation and Cost Sharing

Although in other areas they complain of overregulation, in the area of interagency cooperation and cost sharing, local administrators want more state activity and more specific regulations. They claim that working out cost-sharing arrangements and cooperation with other agencies is left entirely to the discretion of local officials and agency representatives. Often, whether or not cost sharing occurs seems to depend on the negotiating skills of a particular school district agent (e.g., special education director or school social worker) and the quality of the relationship that person manages to maintain with mid-level employees in the appropriate agency office.

Most school district personnel argue that local people should not need to negotiate every case on their own. Local administrators want better, more explicit regulations, not merely interagency memoranda of understanding on who shall be responsible for funding what portions of the cost of serving children with special needs.

Some school system people feel that the other state agencies used deinstitutionalization and Chapter 766 as a way to avoid responsibilities and, especially more recently, to reduce budgets in response to demands to cut costs. The view in some quarters is that state agencies have forced school districts to pick up costs of services that ought not to be their responsibility. (Huron, Chapter 14).

RECOMMENDATIONS

Monitoring

The Huron study found that local officals considered the audit and compliance review procedures expensive and time consuming. If the monitoring process is more important to local systems than the reports it generates, the study staff recommends that the Bureau of Program Audit use the data developed from this study to refine the process and make it more cost effective. In particular, we recommend that the bureau review the Vasquez Nuttall report to determine whether clustering of compliance items would permit reduction of the number of compliance criteria and the staff and resource time necessary for monitoring efforts.

The Department Mandate

The study staff recommends that the Division of Special Education set up a task force on special education in the 1980s to assist the State Advisory Commission develop long-range plans.

Appeals

The study staff believes that the Division of Special Education has quite properly emphasized the mediation aspect of the appeals process and should continue to stress mediation.

Interagency Cooperation and Cost Sharing

The study staff recommends that the Department place greater emphasis on specific language in interagency agreements and encourage regional staff to facilitate local agreements in this area. Legislative action, encouraged under Public Law 94–142 regulations, is probably the key to specific, meaningful agreements. It is recommended that the department work with education groups and coalitions to encourage such legislation.

CHAPTER 8: Secondary Education

OVERVIEW

It was at the secondary level that gaps in special education services were most in evidence in 1974. A survey of 10,000 school districts in 37* states, published in 1975, showed that only 9% provided secondary special education programs whereas almost 50% offered elementary school programs. In 1974 the relative proportions in Massachusetts between secondary and elementary programs seem to have been the same. Massachusetts had a long way to travel toward compliance with Chapter 766 at the secondary level.

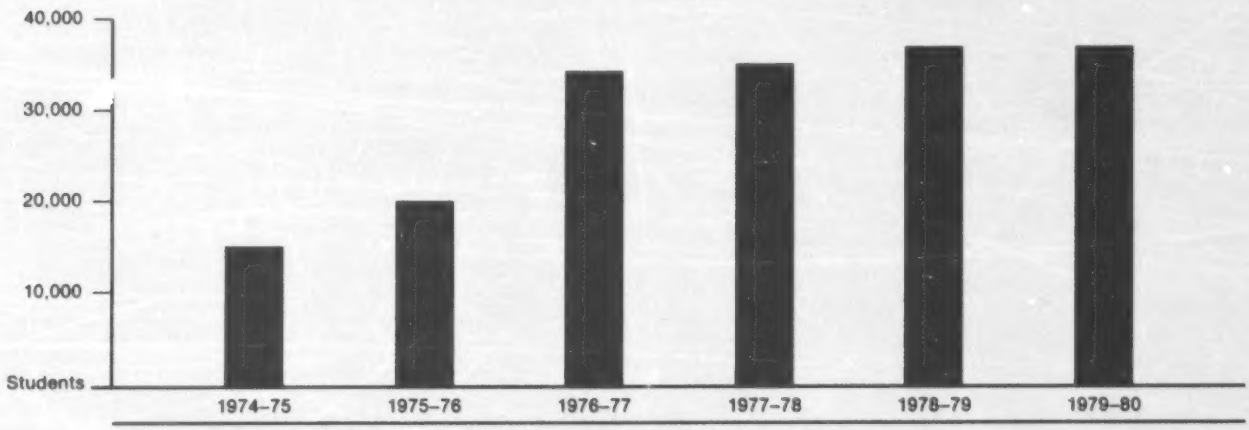
It was also at the secondary level that one might expect Chapter 766 to encounter the greatest philosophical and administrative resistance. Since Chapter 766 called on schools to individualize programs for students needing special education, it required high school teachers and administrators to change the ways they thought and worked. High school teachers, for the most part, concentrated on the subjects they taught and had a narrower definition of their roles than their elementary school counterparts. Many of the high schools subscribed to the idea of working harder with students who would do best at the college level rather than teaching the individual child.

Massive problems of scheduling made Chapter 766 seem an administrative nightmare. High school principals were burdened with other issues that involved greater numbers of students or had more general impact (discipline, alcohol, drug abuse, academic standards). Given those constraints, it is remarkable that so many school districts were able to take advantage of the opportunities for change provided in Chapter 766.

In most communities, Huron found that the growth of services available in secondary special education by 1981 had been more rapid than growth in any other area of special education. Significant gains have been made. The number of students almost tripled between Fiscal Year 1975 and 1980 (see Figure 8–1). The coordinated case studies reported new programs and service options at the secondary level in every school district Huron studied. Several of the communities were particularly proud of their progress in providing new programs to older students. Resource rooms providing academic support to students with learning disabilities are commonplace at the secondary level, where once they were a rarity. Some school districts have developed transitional programs which provide placement for students with serious intellectual handicaps. Many school systems have provided new occupational education programs for at least part of their special education population. Alternative high school programs have seen particular growth and continued to grow in urban systems. They provide settings in which academic success is possible for some students for the first time.

Both the State Divisions of Special and Occupational Education have considered occupational education for special needs students a top priority since 1976. Starting in 1979–80, from its share of Public Law 94–142 funds, the Division of Special Education allocated $2,000,000 annually (supplemented by lesser amounts from other divisions and agencies) to improve existing and develop new vocational assessment and vocational training programs. In

*Scranton, T. R. and Downs, M. C. "Elementary and Secondary Learning Disabilities Programs in the United States," *Journal of Learning Disabilities*, 1975, Vol. 8:394–395.



SOURCE: Massachusetts Department of Education School System Summary Report

FIGURE 8–1: Special Education Enrollment (14–18 year olds)
(Huron Report, Chapter 6)

addition, since 1976, the Division of Special Education has used Public Law 94-142 funds, through the Secondary School Project, to provide technical assistance and in-service staff training. Since Fiscal Year 1981, the focus of the project has shifted toward assisting local school districts to implement vocational/occupational programs for special needs students.

Despite extensive progress and increased opportunities, secondary education is the area of special education in which much more remains to be done. Even some of the "successes" need continued scrutiny because, due to departmentalization at the high school level, they may isolate students who formerly were integrated.

In addition, there are gaps in services. Districts vary widely in providing transitional programs from schools to jobs or other placements for students with intellectual handicaps. Some of the new vocational programs are quite limited in their scope or target population, leaving some groups of special education students at the high school level with no access to vocational services or programs. For example, several districts justifiably proud of new occupational education programs for the severely intellectually handicapped have no vocational options for physically handicapped but cognitively normal students.

Admission to many regional vocational schools is selective and still seems to exclude most students in special education for one reason or another. Since alternative high schools often are used to separate disruptive students from the regular classroom, they can become a dumping ground for all the problems that a local high school has difficulty dealing with. Most of these problems, it should be noted, are problems of secondary education in general, not merely of special education. That may make them particularly difficult to solve.

FINDINGS

Resource Rooms

"Resource room" is usually the designation for a classroom used as an academic resource center for secondary students. Resource rooms, once a rarity at the secondary level, are now commonplace. They provide support for students who have problems in their academic program or who have learning disabilities that interfere with their academic progress. Resource room teachers often help these students rethink subject matter from their academic courses. New courses are sometimes developed by the special education staff; these courses are scaled-down versions of academic courses, with assignments and expectations more in keeping with the perceived need of the students. In some ways, these courses constitute a new "track" in the secondary school curriculum. Resource room teachers often provide informal personal counseling to help their students cope with their academic work. (Huron, Chapter 9)

Self-Contained Classrooms

The "self-contained classrooms" are primarily separate classes for students who have serious intellectual handicaps. Larger school districts usually provide these programs on a high school campus, so that opportunities for involvement in school life are available. Smaller districts rely on collaboratives to provide programs of this type. Huron reported that all of the special education collaboratives they studied maintained self-contained programs for intellectually handicapped secondary students.

Parents and the school personnel responsible for these self-contained programs are concerned most with transition of students in those programs from public schools to jobs, sheltered workshops, or other institutions at age 22 or earlier. Districts vary widely in their response to this need. One town studied promises a placement for each student and reports a high level of family satisfaction. (Huron, Chapter 9)

Occupational/Vocational Options

Although the sites visited by Huron showed little awareness of the Department of Education's role in setting priorities and making funds available, local school systems have developed many new vocational programs and options. Huron found an urban occupational program for severely retarded students, a suburban extended day program to provide after-school vocational training, an urban student-operated food services program, an occupational exploration program providing paid job placements in an industrial suburb, a program for mainstreaming some special needs students in regular occupational classes in the same industrial suburb, an occupational development center operated by a collaborative for students with intellectual handicaps, and a cooperative occupational rehabilitation program set up by two residential suburbs with the goal of placing students in employment or sheltered workshops. These programs all provided options that had not existed prior to Chapter 766.

Gaps continue to exist, however. For example, many districts provide new vocational options for one group of special needs students while leaving students with different handicaps virtually with no access to vocational services and programs. And some smaller districts rely on regional vocational/technical schools, furnishing no vocational or occupational education options in their own schools. For the most part, despite some recent improvements, the regional vocational schools appear to exclude special education students, because of limits in their range of programs, selection criteria, issues of safety, and/or transportation problems. (Huron, Chapter 9)

Alternative Programs

Generally, in the systems studied by Huron, the school system response to high school students who are perceived as disruptive, acting out, or alienated is to separate those students from the rest of the school. The school administration either sets up an "alternative" program in the high school or refers the student to an alternative high school. Alternative programs have seen particular growth since 1974. Recently, when most other growth leveled off, they have continued to grow especially in urban systems

Alternative programs seem to provide settings in which academic success is possible for some students for the first time. Huron describes a youngster who had experienced

years of academic failure but who made several grades of academic progress in less than a year in a storefront school run by a regional collaborative. On the other hand, the mix of student problems in one collaborative program made teachers concerned that the program might be turning into a "dumping ground" for problems local high schools were unable to deal with. (Huron, Chapter 9, Chapter 4; Gallup, Summary)

Secondary Level Special Needs

Secondary school students bring a different constellation of special needs to the service delivery system. While physical handicaps, intellectual handicaps, and severe learning disabilities are prevalent at all grade levels, behavioral and emotional problems start to predominate within the area of more moderate handicaps at the high school. For students entering the Chapter 766 service system for the first time, the problems that lead to their referral for services often relate to poor motivation or school attendance, acting-out classroom behavior, or emotional disturbance. Problems of adolescence are often broader than problems of academic and intellectual growth, and a greater proportion of the first-time special needs population at the secondary level reflects these adolescent adjustment concerns.

In fact, Huron often heard the observation that by the time students reached the secondary level, one need related to and was compounded by several others, therefore making diagnosis and treatment extremely difficult. By secondary school, early childhood emotional problems have in many cases resulted in academic difficulties and learning blocks. These in turn may fuel the student's emotional problems. Likewise, early learning disabilities often produce problems of self-image and inadequacy in students—which make dealing solely with the learning disability or the academic deficiency at the high school level unrealistic and ultimately unproductive.

In some cases and in some school systems (where the resources are available), treatment starts on all fronts at once. But in other situations, the treatment is constrained by the options available—and the student receives what services exist. Some special education administrators feel that it is primarily the responsibility of the home and the family to deal with behavioral and personal problems. Some school districts therefore have refused to provide certain kinds of services—such as psychiatric, psychological, and counseling services—where the need has been judged by school district representatives to be primarily family or home-related. (Huron, Chapter 9)

Attitudes at the Secondary Level

Especially in the case of intellectual handicaps and academic deficiencies, teachers, students, and parents alike seem to feel that as the student gets older there is less hope of making much educational progress. As a result, the emphasis shifts to making plans and accommodations for the future. Huron observed instances in which student involvement in decision making regarding their own education plans was demonstrably beneficial to the students. Several students studied served as effective advocates for themselves and negotiated services and program placements with school people, backed by the force of an individualized educational plan.

On the other hand, peer pressures, which stigmatize students in special programs, often encourage high school students to drop special education services. The type of handicap and special services involved matters here. But even in cases of the more "socially acceptable" handicaps, such as moderate learning disabilities, students reported feeling peer pressure to be "normal"—that is, to be part of regular education. (Huron, Chapter 9)

RECOMMENDATIONS

Overview

Many of the problems found in secondary special education are problems of secondary education generally. The fragmented structures found in most high schools as a result of departmentalization, specialization, and tracking increase the isolation of students in special education, make them more vulnerable to peer pressures, and increase the difficulties involved in scheduling and individualizing special programs. Consequently, these recommendations are directed at secondary education generally:

- We support the recommendation of one superintendent that, where deficiencies exist in a secondary special education program, the Department of Education should encourage the local school system to organize a task force to address the options open to the school and the system. This could help the school administration develop a broad base of support for changes that are needed.
- We also recommend that the department, through the Secondary Education Project of the Division of Special Education, fund high school programs for two or more high schools willing to modify their organizational styles in the direction of flexibility and individualization of programs. One possible adaptation might be individually guided education with individual programs for all students. Another might be a secondary curriculum with very broad course offerings.
- Many studies of secondary education have been initiated within the past year. While none of them are aimed specifically at special education, they may arrive at general answers that relate to our concerns. It is also possible that the Division of Special Education may be able to interest some of them, such as the extensive Carnegie-funded Sizer study in Cambridge, in the interface problems between special and regular education at the secondary level.

Resource Rooms/Alternative Programs

These programs need careful monitoring, because of the potential for abuses: tracking in scaled-down courses in resource rooms and school systems using alternative collaborative programs as dumping grounds for behavior problems. The Division should develop and disseminate information indicating what factors lead to success and failure in both types of program. The descriptions developed in the Huron report would make a good starting point.

Self-Contained Classrooms

We recommend that the Division of Special Education develop guidelines detailing its expectations for appropriate transition planning from self-contained classrooms to jobs, sheltered workshops, or institutions. The Division should also help communities with successful programs to share information with others.

Occupational/Vocational Options

We recommend that the Division of Special Education, in collaboration with the Division of Occupational Education, continue to explore and expand options other than the traditional regional vocational model.

We also recommend that the Department continue to broaden opportunities for special education students in regional vocational schools.

Secondary Level Special Needs

We recommend that the Department encourage local school systems to develop "peer support" groups to help keep students needing special education in programs at the high school level.

CHAPTER 9: Individualized Educational Plan

OVERVIEW

To insure that an appropriate educational program is designed for each student with special needs, a document called an individualized educational plan is required for each student before he or she starts to receive special education services. Individualized educational plans are developed through formal meetings of evaluation teams, which include parents, professionals from several disciplines, and school staff.

The process for developing individualized educational plans and individualized programs for students needing special education has provided school staff with a useful perspective for understanding the special needs of those students and providing appropriate services for them. In particular, the scheduling of an evaluation meeting at which decisions are ratified has forced both staff and parents to focus on the needs of those students.

In some ways, monitoring and training by the Division of Special Education to assist local school districts in preparing complete, specific educational plans seem to have succeeded too well or with the wrong emphasis. In any event, the Huron case study teams noted educational plans completed with a specificity that seemed unrealistic and unnecessary to local special education staff. This suggests a possible shift in division efforts in order to help local school systems make individualized educational plans more practical.

Even more important is the need to make educational plans and other student data accessible at the building level. According to local administrators, considerations of confidentiality and cost have stood in the way. But the cost and effort to develop individualized educational plans and their potential usefulness warrant efforts to improve their availability to those who need to use them.

Despite the fact that few parents play a vigorous role in developing educational plans or ever use them to secure services for their children, the process itself has resulted in improved programming for most youngsters needing special education. A more active role for parents, however, is important both to provide support to the schools and to provide help for those parents who are disadvantaged in securing appropriate programs for their children. This issue is discussed further in Chapter 11.

FINDINGS

The Process

Almost everyone Huron interviewed agreed that the notion of developing individualized programs for children was a good one. All but a few agreed that the opportunity to bring multiple perspectives to bear on the process of determining appropriate goals and services was a giant step forward. Prior to Chapter 766, students were often placed in special education classes based on the results of a single, individually administered test. Because of the requirements of Chapter 766, governing individualized educational plans, many educators believed that they now looked more carefully at what the individual student could do and at what must be done to help the student grow.

Many educators found the process of developing an individualized educational plan useful in shaping their thoughts about realistic expectations and appropriate services for individual children. They found that the interchange in evaluation meetings helped them to create more appropriate programs, as well as to share information with parents in an organized and constructive way. (Huron, Chapter 12; Gallup, Chapter IV)

The Meeting Requirement

The fact that the evaluation meeting would occur at a specific time in order to develop an educational plan for the student focused the attention of all participants in the meeting remarkably closely on the student's needs. In many schools, the staff scheduled pre-evaluation meetings to coordinate ideas and to explore potential program options in order to present a united front at the official meeting. Most parents reported that they had several informal conversations with at least one member of the school staff prior to their initial evaluation meeting.

Thus, the scheduling of an evaluation meeting provided opportunities and pressures for both formal and informal communication among the school staff and with parents. When all agreed on the nature of the problem and the appropriateness of the treatment available, the meeting produced a clear statement of expectations and responsibilities—the individualized educational plan. (Huron, Chapter 12).

Development of the Individualized Educational Plan

The plans prepared since 1979 which Huron staff reviewed were for the most part technically complete, leading Huron to conclude that record keeping in most school districts had shown dramatic improvement over the last two years. Huron researchers, however, questioned the accuracy of educational plan information based on subjective staff judgments concerning characteristics such as learning style. Huron did agree that collectively looking at students from different perspectives in terms of what those students could do was much more useful than pre-766 practices had been. They suggested that the individualized educational plan often required more information or more specificity concerning both capabilities and objectives than was needed. Many special education teachers in the Gallup survey also expressed a desire for more simplicity and less specificity. (Huron, Chapter 12; Gallup, Chapter IV)

Staff Use of Individualized Educational Plan and Student Data

Special education staff usually found the educational plan useful in planning services and evaluating student progress. Huron found that regular education staff seldom used the educational plan. On the other hand, in the Gallup survey, 57% of regular education teachers said that they followed the educational plan closely *(see Table 9-1). The educational plan and other student records were seldom conveniently available in the school building because, for reasons of confidentiality and administrative convenience, student data were generally filed in a central location. A thorough review of the central file for a student who had been in special education for two years or more often took more than three hours.

The Gallup survey indicates that almost all educators found educational plans helpful in providing insight into the problems of individual special needs students (see Table 9-2). However, only a few of those interviewed by Huron were genuinely enthusiastic about the usefulness of individualized educational plans. The great majority felt that the educational plans were useful, but were critical of the time it takes to prepare and amend them, especially for students with less severe disabilities. Many noted that paperwork requirements have decreased due to efforts on the part of the Division of Special Education to simplify the forms and the process. (Huron, Chapter 12; Gallup, Chapter II and Chapter IV)

* In the Gallup survey, 57% of regular education teachers and 85% of special education teachers said that they followed the educational plans closely. Opinion was split on whether the plans should be more specific, with 45% of regular education teachers and only 32% of special education teachers calling for more specificity. Many special education teachers wanted simpler educational plans with more general objectives.

Parent Use of the Individualized Educational Plan

Parents are seldom aware of the details of the educational plan. They are more concerned with placement decisions, the quality of their child's school life, and indications of progress. A few parents use the plan as a lever to hold the school system accountable in providing specific services. Rarely do they use the plan as a means of assuring that specific instructional objectives are addressed. (Huron, Chapter 12)

RECOMMENDATIONS

Development of the Individualized Educational Plan

The study staff recommends that the Division of Special Education, in assisting local training efforts, emphasize how local school systems can make individualized educational plans flexible, practical, and useful blueprints, identifying school districts that can offer peer assistance in this regard. It might also prove useful to local school systems to provide a set of model individualized educational plans devoid of special education jargon. The teacher training programs should be encouraged to make their instruction in the development of educational plans as practical as possible.

Use of Student Data

The study staff recommends that the Division of Special Education determine how best to encourage local school systems to make available at the building level an easily retrievable, organized, useful, active file for each student in special education, containing only such basic data as educational plans and quarterly reviews.

TABLE 9-1: How Closely do Educators Follow the Individualized Educational Plan?
(Gallup Report, Chapter IV)

Follow Individualized Educational Plan:	*Superintendents* %	*Principals* %	*Special Education Directors* %	*School Committee Chairpersons* %	*Special Education Teachers* %	*Regular Education Teachers* %	*Collaboratives* %	*Approved Private Schools* %
Very Closely	44	51	54	20	46	22	59	54
Fairly Closely	17	34	36	18	39	35	34	27
Not Too Closely	10	6	5	5	4	11	7	4
Not At All Closely	6	1	1	6	1	4	0	4
Have Not Used IEP	21	7	2	42	8	26	0	7
Don't Know	2	1	2	9	2	2	0	4
Total	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(89)	(26)

TABLE 9–2: Usefulness of Individualized Educational Plans

(Gallup Report, Chapter II)

Individualized Educational Plans (IEP's) Provide Helpful Insight Into The Problems of Individual Special Education Students	*Based On All Who Have Used Individualized Educational Plans*							
	Superintendents %	*Principals* %	*Special Education Directors* %	*School Committee Chairpersons* %	*Special Education Teachers* %	*Regular Education Teachers* %	*Collaboratives* %	*Approved Private Schools* %
Agree Strongly	54	52	62	48	52	42	52	44
Agree Somewhat	42	40	33	39	40	44	44	44
Disagree Somewhat	2	6	4	2	6	7	4	9
Disagree Strongly	1	1	2	1	2	3	--	1
Not Familiar Enough With Plans To Have Opinion	1	1	*	10	*	4	--	2
Total	100	100	100	100	100	100	100	100
Number of Interviews	(149)	(333)	(218)	(92)	(390)	(411)	(23)	(89)

* Less than one half of one percent.

CHAPTER 10: Least Restrictive Environment

OVERVIEW

For educators who had feared that Chapter 766 meant their schools would be overrun by profoundly disabled students, the reality was a complete surprise. Rather than the return of students from institutions or private schools or the discovery of youngsters not in school who needed services, Chapter 766 emphasized looking at academic failures and behavior problems in new ways (i.e., to determine whether the difficulties of those students derived from handicapping conditions). Most of the students needing and not receiving special education were already in the regular classrooms. Serving them appropriately in many cases meant moving them out of the classrooms to more restrictive placements, for at least part of the time.

The Gallup survey found that solid majorities of all educator groups accepted the idea that special needs students should be educated in the least restrictive appropriate environment. (see Table 6-3). The acceptance of this premise was somewhat higher at the elementary than at the secondary school level. Despite similar attitudes in case study communities, most local educators predicted that increases in class size, resulting from Proposition 2½, would result in more referrals, moving students into a more restrictive environment. The predicted countermovement of students from private placements is unlikely to result in those youngsters being educated with regular students. Despite the change of program type, students returning to their communities for the most part will receive their special education away from regular students in collaboratives or separate programs.

There is a problem of placement options, partly a problem of resources and partly of how communities view special education, which is more acute in small communities and at the secondary level. In the current climate of fiscal constraint, despite considerable acceptance by professional educators of the least restrictive environment concept, resource considerations will be a factor influencing placement decisions. It is unlikely that small communities can provide all options available in larger school systems, except through the use of collaboratives or private schools, and it is questionable whether they should try to do so in any fiscal climate.

FINDINGS

The Continuum of Special Education Services

All of the school districts visited had a continuum of services at all levels; the range seemed more flexible at the elementary level, but there were also choices in junior high and high school as well as at the early childhood level. Some options are more likely to be drawn on than others. Elementary school children with mild to moderate special needs are more likely to receive supplementary instruction in resource rooms than in regular classrooms. Students whose intellectual disabilities appear to make it difficult for them to function effectively in the regular classroom are likely to be placed in substantially separate classrooms either within the district or in collaboratives. School personnel report that, unless they see no other way of dealing with the problem, they try to avoid more restrictive out-of-district placements.

Although the gap in the range of special education services between elementary and secondary school has narrowed in most communities, the least restrictive environment provision is implemented more fully in elementary schools than at the secondary level.* In large part this seems to result from the more flexible schedules in elementary schools and because each teacher works with fewer students and therefore is more likely to become personally involved with them. As students get older, special education instruction shifts from compensation for specific disabilities to remediation in general academics, particularly for students with mild to moderate special needs. This is done in supplementary sessions outside of the regular classroom. (Huron, Chapter 13; Chapter 4)

Placement Decisions

Huron findings suggest that the lack of a clear definition of special education needs provides a series of decision points which school systems use to regulate the number and kind of students who receive special education services as well as the type of special education services they will receive. In a community that defines special education needs liberally and is philosophically committed to the least restrictive environment provision, a diversity of program options exists to provide a variety of services for individuals, to assist in matching services to individual needs, and to adjust the services delivered on the basis of student progress.

Conversely, other communities, similar in many ways to those described above, may cling to a more rigid definition of special needs. Students with needs comparable to those provided for in other communities may receive relatively little service or may be removed from the mainstream of regular education for out-of-district placements.

Huron found many educators who believed that constraints on local budgets would probably influence the way placement decisions were made in the future. In its field work, Huron saw several situations in which declining resources influenced referrals. Administratively, there seemed to be increased pressure to hold back on referrals.

* Huron discusses a wide range of available secondary programs in their Chapter 4. There are still, however, more gaps at that level, especially in smaller communities, than there are at the elementary level.

The Gallup survey confirmed that there were often pressures to recommend less costly programs than students really needed (See Table 10–1).

At the same time, budget constraints exert a counter pressure at the classroom level. As regular education classes increase in size, teachers protest that they will be less able to tolerate certain behaviors. Administrators and teachers in all of the communities Huron visited predicted an increase of teacher referrals and a push for placement outside of the regular classroom as the economic squeeze continues.*

The two forces, one for more conservative referrals and placement decisions, the other for use of the special education department to relieve the pressure on regular education, set up a potential for future conflict within schools and communities. In the new fiscal year, many local school systems may reexamine their definition of special education needs and further restrict some elements within their special education services. (Huron, Chapter 13; Gallup, Chapter II, Chapter IV)

Finding the Students

Chapter 766 did not so much involve finding children who were not in school or bringing new students into the school system from private placements or institutions as it meant looking in new ways at students already there. This was particularly true for many of the boys and girls who consistently achieved below expectations or who were characterized as "behavior problems." Now identified as special needs students, many of these students were removed from regular education classes for greater or lesser periods of time, and specially trained teachers worked with them on materials specifically adapted to their skill and ability levels. This dispelled much of the initial concern and anxiety about the extra burden to be placed on teachers. (Huron, Chapter 13)

Acceptance by Students

Acceptance of children with severe handicaps by other students was less of a problem than had been anticipated.

TABLE 10–1: Pressures to Recommend Less Costly Programs

(Gallup Report, Chapter 10)

Public School Personnel Often Pressured to Recommend Less Costly Program than Student Really Needs	*Superintendents* %	*Principals* %	*Special Education Directors* %	*School Committee Chairpersons* %	*Special Education Teachers* %	*Regular Education Teachers* %	*Collaboratives* %	*Approved Private School* %
Agree Strongly	2	11	7	5	27	14	16	70
Agree Somewhat	17	35	36	22	37	24	46	19
Disagree Somewhat	34	16	24	25	13	19	11	6
Disagree Strongly	43	34	33	43	18	22	23	1
No Opinion	4	4	0	5	6	21	4	4
Total	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(26)	(89)

Dealing with Fear

The fear that regular education classrooms would be overrun with students with profound disabilities simply failed to materialize. True, many students previously in private day programs, private residential placements, and institutional schools have returned to local school districts, often to substantially separate programs. But this was not done overnight. Instead, after the initial period of confusion and anxiety, most local school administrators settled down to reasonable and orderly development of system-wide programs, emphasizing first one component and then another.

For the most part, school districts moved ahead cautiously, drawing primarily upon existing resources. Administrators report that programs changed or children were assigned differently, but the change was more of an evolution than a revolution. Slowly new programs and staff were added, particularly with the incentive of federal funds from Public Law 89–313 and Public Law 94–142. (Huron, Chapter 13, Chapter 5; Gallup, Chapter II)

Teachers reported that non-handicapped students often responded with thoughtfulness to their disabled peers.

Generally, students with special needs are more in evidence in schools. There is an increased sensitivity to them and to their promise as well as their problems. Schools in which integration has worked most smoothly have taken an active role in promoting it. Expectations are clear and firmly enforced.

Of course, some teasing exists, particularly at the secondary school level and in places beyond the monitoring of school staff. But this is not considered a major problem by most parents (see Table 10–2). (Huron, Chapter 13, Chapter 4; Gallup, Chapter III)

Factors Influencing Implementation of the Least Restrictive Environment Provision

The availability and quality of least restrictive options, according to Huron, have depended on the school resources provided, the size of the community, and the influence that the special education department can exert within the school system. Among the cases studied by Huron, the three school districts with the most comprehensive lists of special education options were Pendale, the community

* This finding was confirmed by the Gallup survey which also noted that 47% of regular education teachers feel that potentially dangerous students can never be helped by public schools.

Table 10–2: Problems Encountered by Special Education Students
(Gallup Report, Chapter III)

Problem:	Percent Who Feel Child has had Each Problem		Percent Who Feel Each is a Major Problem	
	Special Education Parents Grades K–6 %	Special Education Parents Grades 7–12 %	Special Education Parents Grades K–6 %	Special Education Parents Grades 7–12 %
Feeling Frustrated Because He/She Couldn't Learn as Quickly as Other Students	61	70	24	33
Feeling Inferior or Not as Good as Other Students	48	60	19	29
Being Made Fun of by Regular Education Students	34	44	11	19
Feeling Like He/She Doesn't have Any Friends	27	35	12	22
Number of Interviews	(244)	(220)	(244)	(220)

with the highest per pupil expenditures for both regular education and for special education, and Old Harbor and Center City, the two largest school districts in the sample.

In the first instance, Pendale drew upon a long-term commitment to educational excellence for all of its students and mobilized considerable resources to comply as fully as possible with the intent as well as the letter of the law. In Old Harbor and Center City, although the resources on a per pupil basis were considerably less than in other communities, the sheer number of students in special education allowed for economies of size and permitted the development of a wide array of programs at all levels.

Smaller communities and communities with sparse resources have had a more difficult time providing multiple options for all students with special needs. Most of these school districts that Huron visited concentrated efforts on resource rooms and learning centers and joined collaboratives to provide the more specialized substantially separate programs. The low incidence of students with profound needs made it uneconomical for them to commit money and staff time to such programs if they could purchase appropriate education services elsewhere.

Another factor that affected placement decisions has been the influence that the special education department could exert within the school system. One test of this has been the quality and location of the space available to special education.

A more subtle but equally important indicator of the influence of the special education department has been in the choice to deliver special education services in the regular classroom. Many administrators agreed that, although it was possible to treat special needs students in regular classrooms, the decision was often dependent upon the willingness of individual teachers to make the necessary adaptations. Some principals have been willing to insist that their teachers accept special needs students and adapt their programs; others have not.

The decision as to where special education services will be provided has usually depended upon the relationship between special education and regular program administration and between regular class teachers and program specialists. The more successful administrators have used strategies of persuasion rather than coercion on regular class teachers to encourage provision of services in the regular classroom. (Huron, Chapter 13)

RECOMMENDATIONS

The Continuum of Special Education Services

The study staff recommends that the Department of Education, as part of its review of problems in secondary special education, analyze how the range of options at the secondary level can be made more accessible to the individual special education student in the face of class size, limited flexibility in scheduling, and emphasis on academic subject matter.

Placement Decisions

The study staff recommends that the Division of Special Education use the data system developed in the course of the study to help regional staff monitor significant increases or decreases in placement in specific program types which may be influenced by budgeting constraints, particularly increases in substantially separate programs and decreases in private school placements. Division staff in the course of program audits or compliance reviews should determine whether such changes result in placement of students in inappropriate programs and examine why some substantially separate programs are successful and others are not.

Acceptance by Students

Students with special needs have found acceptance in schools that have taken an active role in promoting sensitivity. The study staff recommends that the division encourage exchange of information between those schools

and others which are still having difficulties with integration of special needs students.

Factors Influencing Implementation

With many local school systems taking actions to return students from private placements, the study staff recommends that the department work through its regional offices to encourage further collaboration among local school districts and collaboratives to develop suitable programs and to identify which out-of-district students might be placed appropriately in those programs.

CHAPTER 11: Parent/School Relations

OVERVIEW:

Within special education across the state, there has been a high level of participation by parents in the formal process of planning individualized programs for their children, including attendance at planning meetings and signing plans. Even parent participation which is only procedural has helped improve the quality of special education services by increasing the responsiveness of school staff. Efforts to individualize programs have absorbed considerable emotional energy and time of parents and staff. Perhaps this is one reason why school personnel and parent groups have had little success in involving parents of multiple problem families. It is still important to reach that group of parents. Only creative efforts that go beyond the formal procedures of Chapter 766 are likely to succeed.

FINDINGS

Formalized Participation

That at least one parent usually participates in the meetings to plan his or her child's special education in a formalized, procedural way suggests a high level of legal compliance. In the Gallup surveys, 90% of the parents of children receiving special education had met with someone in the schools to discuss their child's education program in the past year. (Huron, Chapter 11; Gallup, Chapter IV)

Meaningful Involvement

An increasing number of parents participate in meaningful ways and find the process helpful and informative. Approximately 20% of the parents of special needs children surveyed reported that more than three-fourths of the meetings were at their own request. Over 70% of parents with children receiving special education in elementary programs and over 60% of those with children receiving special education at the secondary level were satisfied with the willingness of school staff to listen and explain (see Table 11-1). (Huron, Chapter 11; Gallup, Chapter IV)

Influence on Special Education

In general, under Chapter 766, parents have more influence than they had before in decisions about where their child will be placed. Parent involvement has helped to raise the consciousness of administrators and teachers concerning students needing special education and to improve the quality of special education services. (See Table 6-5) According to Gallup, 49-61% in all public school educator groups, except for teachers, believe that parents have too much influence over the content and location of their children's programs (See Table 11-2). (Huron, Chapter 11; Gallup, Chapter IV)

Vulnerable Families

But the Huron study found many "vulnerable" families, defined as families in which parents were unable to deal adequately with their children's special needs and to develop working relationships with the schools (e.g., newly arrived, non-English speaking families; single working parents; multi-problem families). Huron noted that independent advocacy efforts in the sample communities appeared to be inadequate and inappropriate to the needs of these parents. (Generally, independent advocates focused on procedural or legal issues; parents were concerned about the well-being and progress of their children in special education.) If the children of these families received help, it was usually because of advocates within the school system taking some initiative, rather than because of efforts of the parents. School system attempts to involve parents in these families, however, were generally inadequate and unsuccessful. The problem is both one of access to the system and of development of an appropriate program. (Huron, Chapter 11)

TABLE 11-1: Parent Satisfaction With Discussions With School Staff

(Gallup Report, Chapter IV)

	Based on All Who Met with School Personnel to Discuss Child's Education Program			
	Regular Education Parents		*Special Education Parents*	
Satisfaction with Willingness to Explain Program	*K-6* %	*7-12* %	*K-6* %	*7-12* %
Very Satisfied	71	62	73	69
Fairly Satisfied	23	29	19	26
Not Too Satisfied	4	5	4	3
Not at All Satisfied	2	4	3	1
Don't Know	0	0	1	1
Total	100	100	100	100
Number of Interviews	(286)	(233)	(228)	(208)

Impact on Parents

School staff vastly underestimated the emotional impact of evaluation meetings on parents. Some parents received a sense from those meetings that the child's disability or need for special education services was in some way their fault. On the other hand, Huron found special education staff in a few communities whose personal standards and sensitivity made them more empathetic with parents than were staff at other sites. These persons went beyond what was required to inform or reassure parents. (Huron, Chapter 11)

TABLE 11-2: Educator Assessments of Parent Influence

(Gallup Report, Chapter IV)

Parents of Special Needs Students Have Too Much Influence	*Superintendents* %	*Principals* %	*Special Education Directors* %	*School Committee Chairpersons* %	*Special Education Teachers* %	*Regular Education Teachers* %	*Collaboratives* %	*Approved Private Schools* %
Agree Strongly	19	11	14	18	6	11	8	1
Agree Somewhat	42	39	41	31	27	26	46	11
Disagree Somewhat	23	32	27	32	37	30	15	25
Disagree Strongly	12	16	16	14	25	18	27	56
No Opinion	4	2	2	5	5	15	4	7
Total	100	100	100	100	100	100	100	100
Number of Interviews	(194)	(363)	(227)	(192)	(432)	(569)	(26)	(89)

Organized Parent Efforts

Efforts to individualize programs for specific students on the part of parents have not led to group activities. Both staff and parents seemed to have little time or energy left for larger responsibilities, after participating in cases of direct concern to them. As a consequence, there has been little organized parent effort to consider general program accountability, to maintain service levels, to resist budget and staff reductions, or to assist and inform parents in vulnerable families. Only one of the local advisory councils in the communities visited by Huron had the potential to carry out those functions. (Huron, Chapter 11)

RECOMMENDATIONS

Impact on Parents

In training programs for local administrators and for regional staff, the study staff recommends that the Division of Special Education emphasize workshops assisting local staff to work more sensitively with parents and to reconcile differences informally, such as:

- workshops helping staff to eliminate jargon and technical language from assessments, individualized education plans, and evaluation meetings (illustrative models could be developed in cooperation between public schools, colleges, and the Department);
- workshops using staff from school systems that have developed techniques for reassuring parents;
- workshops in mediation techniques.

We recognize that workshops are no panacea. Local staff and parents need to communicate openly, simply, and with sensitivity. Workshops may help to foster the skills necessary for this type of communication.

Organized Parent Efforts/Vulnerable Families

The study staff recommends that the Division of Special Education encourage development of local parent groups:

- to assist parents in vulnerable families;
- to support continued funding and implementation of Chapter 766.

In order to avoid special interest divisiveness that could cost special education support in the long run, the study staff recommends that the Department of Education encourage these local groups to support broader education concerns by helping to organize broad local consumer educational coalitions.

The study staff recommends that the Division of Special Education, in cooperation with professional, consumer, and advocacy groups at the local, regional, and state levels, review parent needs and offer local parent groups incentives such as the following:

- advocacy training responsive to the needs of vulnerable families;
- training in how to identify, recruit, and assist vulnerable families;
- information on parents' and children's rights;
- information on programs and services available;
- data on special education budgets and reimbursements.

We are aware that the division has been actively encouraging the development of local advisory councils. The Huron study seemed to suggest that those groups in most communities studied lacked the independence to assist vulnerable families in their dealings with school systems. Parent groups are difficult to get going and keep going. To encourage efforts to establish viable parent groups, we recommend that the division provide concrete suggestions on how to organize such a group, how often it should meet, workable meeting agendas, and other operational assistance.